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The A. F. of L. Weekly News Service gives news accounts and editorial interpretations of matters affecting labor occurring in the industrial, legislative, and judicial fields, and contains other information of benefit to the trade union movement.

AMERICAN FEDERATION OF LABOR

WEEKLY NEWS SERVICE

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The sense of one's ignorance is a much more useful thing than the sense of one's knowledge.—Robert Lynd.

WHOLE NO. 1501 | WILLIAM GREEN, President | WASHINGTON, D. C., SATURDAY, JANUARY 20, 1940. | GEORGE MEANY, Secretary-Treasurer | VOL. 30, NO. 3

Banquet In Honor Of Meany Attended By Hundreds Of A. F. Of L. Leaders

New Secretary-Treasurer of the American Federation of Labor Declares the Purpose of the Federation "Is To Improve the Conditions of Work and of Life of the Workers in This Country, and There Is No Other Purpose; Anyone Who Attempts to Divert This Organization From That Purpose Is Doing a Disservice to the Workers of America; In Order to Carry Out That Purpose Certain Fundamental Principles Were Laid Down by Samuel Gompers and Those Associated With Him in the Years Gone By, and Among Those Principles Is One Principle That I Want to Pledge My Allegiance To; That Is the Principle That No Political Organization Shall Ever Control the Labor Movement of America, That the Labor Movement Shall Never Be the Tail to a Political Kite."

By A. F. of L. Weekly News Service.

Washington, D. C.—The banquet to George Meany, Secretary-Treasurer of the American Federation of Labor, at the Willard Hotel here on January 18, was a notable event in the annals of the A. F. of L.

The main ballroom of the hotel was filled with hundreds of officials of the American Federation of Labor and its affiliated unions and their friends from many sections of the United States.

I. M. Ornburn, Secretary-Treasurer of the Union Label Trades Department of the American Federation of Labor, was toastmaster.

In addition to Mr. Ornburn, those seated at the speakers' table were: George Meany, Secretary-Treasurer of the American Federation of Labor; William Green, President of the American Federation of Labor; Frank Morrison, Secretary Emeritus of the American Federation of Labor; Matthew Woll, Third Vice President of the American Federation of Labor; John P. Frey, President of the Metal Trades Department of the American Federation of Labor; W. A. Calvin, Secretary-Treasurer of the Metal Trades Department of the American Federation of Labor; Edward J. Gainor, Eleventh Vice President of the American Federation of Labor; Frank Fenton, Director of Organization of the American Federation of Labor; Thomas E. Burke, Secretary-Treasurer of the United Association of Plumbers and Steam Fitters of the United States and Canada; John P. Coyne, President of the Building and Construction Trades Department of the American Federation of Labor; Joseph A. Padway, Chief Counsel of the American Federation of Labor; George Masterton, Assistant President of the United Association of Plumbers and Steam Fitters of the United States and Canada.

Addresses in honor of Mr. Meany were made by Thomas E. Burke, Secretary-Treasurer of the United Association of Plumbers and Steam Fitters of the United States and Canada; William Green, President of the American Federation of Labor; Frank Morrison, Secretary Emeritus of the American Federation of Labor.

In response to the addresses, Mr. Meany declared that the machinery and processes of the American Fed-

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FACING the FACTS

With PHILIP PEARL

Some of us have enough troubles of our own without bothering about other peoples' woes. The fund of human sympathy, which distinguishes us from other animals in nature's kingdom, is limited enough at best. In times of national stress we are driven by self defense to save our sympathy, as well as our money, for our own. We grow a hard shell—or we try to—to protect ourselves from being hurt in our hearts and minds by the misfortunes of others.

This protective callousness is now everywhere apparent in our public thinking. It is reflected in the public attiutde toward war in Europe ("Let them fight their own battles, it's none of our affair") and toward unemployment in this country ("They're just a bunch of loafers who don't want to work").

Fortunately, when people make such remarks they don't really mean them. Deep down inside they feel the stirrings of sympathy for the helpless victims of Europe's war lords and of America's industrial machine.

So, while we pretend to be hard-boiled, we find millions of Americans contributing to funds for the relief of Finland and we find our Government anxiously striving to discover some safe method of assisting the Finnish people in their gallant stand against the ruthless Russian invader.

In like manner, we find such great organizations as the American Federation of Labor devoting its energies and research to the problem of finding some way out of the menace of permanent unemployment.

The Land of Opportunity

We are not a hard-hearted people. For every individual who says "the unemployed are just a bunch of loafers who don't want to work" and means it, there are a million who know better. They know the independent spirit of American workers. They know the American worker is deeply ashamed of accepting public assistance. They know that only dire necessity could force him to go on relief. They know how a middle-aged man who has worked all his life to support himself and his family must feel when he loses his job through no fault of his own and then finds it impossible to get another. They know how a young man who has spent years in school to get the necessary education and training to equip himself for a useful life must feel when he finds all doors closed to him and opportunity fails to respond to his knock.

These are the things we should always bear in mind when we consider the problem of unemplyoment. We must not think of the unemployed in the mass, as an army of nine million, but we must think of them as separate individuals, as persons like ourselves, whose headaches and heartaches are multiplied nine million times in our midst.

That is why the American Federation of Labor in announcing its legislative program for 1940 made the ringing declaration:

"We are not willing to tolerate even the idea of permanent unemployment."

To do so would be to admit that the United States of America, as a nation, is a failure. We refuse to admit that. We are determined to keep the United States of America "the land of opportunity."

The Program

This confidence and determination is reflected in the American Federation of Labor's program. It says:

"We know that idle plants can be brought into operation, idle capital can find investment in productive private enterprise and idle men and women can be put to work producing the goods they need for a decent living. Our nation has all the elements necessary to provide an adequate living for every American family. We lack only the proper coordination of effort."

In all the past ten years of critical unemployment has any serious and determined effort been made to bring about that coordination? The NRA is about the only such experiment on a national scale that we can recall. And that failed because it became compulsory instead of voluntary, because the united will to make it a success evaporated and because we didn't have enough exact information about the problems involved.

Bearing this in mind, the American Federation of Labor calls upon Congress to create a National Advisory Council to draw up plans for a new nation-wide effort to revive business and create jobs. On this council labor farmers and consumers should be represented, as well as the Government and industry. Full representation of all elements of our economic structure is required if we expect to work out a plan for the coordination of all these elements.

Furthermore, the American Federation of Labor calls for the widest possible extension by legislation and collective bargaining of the six-hour day, five day week. Until new jobs are created we must spread the work that exists. We must do our utmost to increase consumer purchasing power and raise American living standards.

Finally, the American Federation of Labor calls on Congress to provide sufficient funds for the relief of unemployment until we can wipe it out. This is a national obligation. We insist, too, that the prevailing wage principle be restored to work relief programs. This constitutes fair play. And supplementary to work relief, there should be created a permanent public works program to take up unemployment slack by the construction of necessary public projects when private business falls off.

(Released by the American Federation of Labor Weekly News Service.)

Solicitor General Epstein of New York Issues Strong Warning Against Application of Anti-Trust Laws to Labor Organizations

For the First Time in Forty Years the United States Government Is Threatening to Invalidate Contracts Negotiated Between Unions and Employers, He Tells National Lawyers' Guild Conference on Labor Problems Held In Nation's Capital.

"Let Labor Not Underestimate the Warning That Has Been Flung Out From the Walls of Granite in This City Where the Voices of the Nation Too Often Sound So Far-Off and Weak," He Declares.

"A Cathedral Centuries in the Building May Be Destroyed in a Moment; The Rewards of Fifty Years of Labor's Unceasing Effort Now Stand Challenged; To All Organized Labor In This Country, Without Qualification, I Give the Words of the Holy Book: 'Arise, Therefore, and Be Doing, and the Lord Be With Thee.'"

By A. F. of L. Weekly News Service.

Washington, D. C.—A profound warning that the crusade of the Department of Justice of the United States Government to apply Federal anti-trust laws to labor organizations menaced the structure of organized labor in the United States featured the notable address by Henry Epstein, Solicitor General of New York State, at the Conference on Labor Problems of the National Lawyers' Guild in the Nation's capital on January 12.

Mr. Epstein gave a detailed account of the origin and growth of the large scale trusts in the fourth quarter of the last century, the enactment of the Sherman Anti-Trust Law to curb these predatory combinations, the effort in the United States Senate to omit labor organizations from the scope of the law and the development of court decisions applying the law to labor unions.

He also traced the origin of the Clayton Act to prevent labor organizations from being victimized by prosecutions under the anti-trust laws, the nullification of the Clayton Act by court decisions, and the enactment of the Norris-La Guardia Anti-Injunction Law to protect the rights of labor organizations against the attacks of hostile Federal judges.

But now, Mr. Epstein warned, the Department of Justice of the United States, by prosecuting trade unions for alleged violation of the anti-trust laws threatens to destroy the gains made by organized labor during the last fifty years.

The text of Mr. Epstein's address follows:

Evidence of the emergence of the United States from the Industrial Revolution into social and industrial maturity is observed in two significant incidents of the year 1886.

One was the Haymarket riots in Chicago, always a teeming industrial center, where some 50,000 were unemployed as a result of strikes, walkouts, lockouts due chiefly to the demand for an 8-hour day. These disputes were accompanied by attacks on the McCormick Reaper Company by some 16,000 members of the lumber workers' union and climaxed by anarchist violence taking advantage of labor's unrest. Even the gallows took its full measure.

The second event occurred in Pittsburgh, where the smoke from steel and iron mills all but obscured the meeting of dissident national labor units which forged the American Federation of Labor.

Large-Scale "Trusts" Arrived Fifty Years ago

These two events of a half-century ago were accompanied by and coincided with the "arrival" of our large scale units of capital, the Harvester "trust," the Steel "trust," the Oil "trust," and against these the puny weight of labor was cast. Industrial America had come of age. The great issue of our own and the next generation to succeed us then began to take shape. It was not fully recognized until after the end of that century, when the "Gay 'Nineties" had given way to the "Roaring 'Twenties" and the "Gloomy 'Thirties."

We recognize the issue now: Is the principle of a capitalist society based upon private property, profits, exploitation of various sorts, consistent with the operation of political democracy? The search for a middle ground answer is the problem of this generation.

Growth of Collective Bargaining

There were those in the labor movement even as far back as the 'eighties who recognized the basic struggle and sought to bring into some alignment this seeming dichotomy.

The principle of the trade union movement was then designed to accomplish its ends throughout the organized economic power of labor, and not to favor or seek legislation for such aims. Collective bargaining between chosen representatives of employer and workers was the accepted method. Yet it soon became obvious that the inequality of economic and social position made necessary the use of labor's greater potential political power to develop a set of Marquis of Queensbury rules under which the forum would be chosen and the battles fought.

The almost complete supplanting of individual by corporate responsibility in the economic arena rendered such protective statutory measures essential to the survival of democracy, else liberty and equality could no longer go hand in hand—liberty in action and equality in the field of economic warfare. The anti-trust laws were the first serious political efforts to check the malignant growth of the corporate power and by control to minimize its threat to political democracy.

Time will not permit of an exhaustive treatment of the theme, but at least this much introduction I have thought necessary to a proper understanding of our problem.

Main Features of Sherman Anti-Trust Law

In 1890 the Sherman Anti-Trust Law was enacted. As lawyers, even as laymen, you know its common and accepted applicability. (1) Every contract, combination and conspiracy, in the form of a trust or otherwise, in restraint of trade or commerce among the several States is "illegal." Each violation is a misdemeanor, punishable by fine, imprisonment or both. (2) Each person participating in such acts is equally guilty, and (3) Section 7 enables a person damaged to sue in the district court and recover three times the damage sustained, plus costs and attorneys' fees.

Purpose of the Sherman Act

The rapid development of large corporate enterprises, of holding companies with widespread power were known and feared. Railroads, sugar refineries, steel manufacture, tobacco, oil—these were already at the corporate stage where the danger was foreseeable. The purpose of the statute was clear—to prevent too great concentration of economic power with the inevitable injury to the consumer due to his lack of weapons to combat such power. Certainly when enacted, despite its general language, the evidence does not disclose any intended applicability to labor unions.

Sherman Denied Intention to Apply the Act to Labor Unions

When the Sherman Act was introduced and came up for debate, the question of its applicability to labor naturally arose. Senator Sherman denied any such intent and at once offered an amendment with this statement: "I do not think it necessary, but at the same time to avoid any confusion, I submit it to come at the end of the first section." (Berman-Labor & Sherman Act, p. 21.)

The amendment read: "That this act shall not be construed to apply to any arrangement, agreements, or combinations between laborers, made with the view of lessening the number of hours of their labor or of increasing their wages," and similarly to agricultural workers.

Labor Amendment Defeated

Then followed in the Senate the typical legislative horseplay—amendments to prevent gambling in stocks, bonds, whiskey, etc.—with other labor amendments, all adopted—but resulting in the eventual striking out of all amendments. In the House little was said on the subject. As to what conclusion can be drawn of Congressional intent, you can toss a coin and "take your choice."

Scope of 14th Amendment Enlarged by Court Decisions

This was not, however, the first time or occasion that language was given a wider scope than perhaps intended. In the case of the 14th Amendment, adopted in 1868, as a first step toward protecting the civil rights of negroes against reconstructed States of the South, capital was quick to seize upon the use of the word "person" as including the coporate entity.

In the Granger cases (Munn v. Illinois, 94 U. S. 113) and Railroad Rate cases, corporations sought its shelter against what was termed oppressive State legislation. As in the corporation tax cases, the claim was made that a corporation was entitled to equal protection of the laws, even to the extent that taxes on corporations must be no different from those on individuals (Missouri v. Lewis, 101 U. S. 22). Yet it was not until 1885 in County of San Mateo v. So. Pac. R. R., 116 U. S. 138, that the Supreme Court recognized a corporation as a "person" in the meaning of the 14th Amendment, and not until 1888 in Pembina Co. v. Pennsylvania (125 U. S. 181), twenty years after the amendment, that it was definitely so decided.

There are some interesting comments observable in the early cases under the 14th Amendment, when the first approaches were being made upon the citadels of entrenched capital and laissez faire. A Justice of the U. S. Supreme Court wrote that the restrictive control of private property because devoted to a public use "appears to me to destroy, for all useful purposes, the efficacy of the constitutional guaranty." The American Law Review proclaimed "* * * it was perfectly clear that the * * * movement was rank communism." This was 1875. And the "New York World" called corporation taxes on a different basis from personal taxes a "novel aggression of sand-hill radicalism upon corporation and capital."

Courts Apply Sherman Act to Labor Unions

To return to the thread of our story. It was not until 1895 that the first Sherman law prosecution came to the Supreme Court and the result in the Sugar Trust case (U. S. v. E. C. Knight Co. 156 U. S. 1) was not encouraging to those who had placed faith in the law.

The corporations which constituted the monopoly of sugar refining were held not to be engaged in interstate commerce. But the shock of large corporate enterprise on the eventual application of the act against railroad pools (U. S. v. Trans-Missouri Freight Ass'n., 166 U. S. 290), against holding companies (Northern Securities Co. v. U. S., 193 U. S. 197), against the oil and tobacco monopolies (Standard Oil Co. and American Tobacco cases, 221 U. S. 1, 106) was nothing to the shock received by labor when the same law was held equally applicable to labor unions engaged in strikes and boycott of non-union goods (In Loewe v Lawlor, 208 U. S. 274—the famous Danbury Hatters' case). At least capital had ample warning in both the act, and in the increased demands for "teeth" in the law's enforcement. Labor had no such warning. Let us turn back for a moment the pages of history.

Details of United Hatters Case

By 1906 seventy (70) out of the eighty-two (82) hat manufacturing plants in the country had been unionized by the United Hatters, an affiliate of the American Federation of Labor. Plaintiff with a factory in Danbury, Conn., was one of the 12 not yet organized.

A strike, combined with a boycott, aided by the affiliated unions of the A. F. of L. through publicity, demand for union labels only, etc. was used in an endeavor to force plaintiff's plant to accept unionization.

Action was brought under the Sherman Act for an injunction and treble damages. The district court dismissed the complaint, holding the law inapplicable. The circuit court affirmed, certifying the issue to the Supreme Court.

As you know, in 1908 the highest court handed down the memorable decision holding all combinations which interfered with interstate commerce to be violative of the Act. The court admitted that the Sherman Act "had its origin in the evils of massed capital," but since the act covered any combination in restraint of interstate commerce, and since labor's aim was here to stop the flow of commerce—the effect complained of—the law was held operative.

It did not matter that the restraint was an incident to labor's major objective, concededly lawful, better wages and conditions through labor's unity. The court cited first, In re Debs, 158 U. S. 564, where the Supreme Court, however, though referring to the Act, based its decision on the broad control over interstate commerce by the Federal government, rather than on the Sherman Act. The court also cited Holmes, J. in Atkins v. Wisconsin, 195 U. S. 194, where the late revered Justice said (anent a trade monopoly):

> "The most innocent and constitutionally protected of acts or omissions may be made a step in a criminal plot, and, if it is a step in a plot, neither its innocent nor the Constitution, is sufficient to prevent the punishment of the plot by law."

(We have heard it said that at times Satan has cited the Sermon on the Mount to serve his purposes.)

The circuit court was reversed and the case remanded for trial. Labor had been dealt a body blow, but recovered and the reverberations were so terrific that before the case on appeal from the judgment after trial had again reached the Supreme Court, and been decided (Jan. 5, 1915), the Clayton Act amendments had already been passed.

Workers Families Evicted From Their Homes

It is not without significance that the opinion on the second appeal (from the judgment) was written by Mr. Justice Holmes. The statute having been held all inclusive (Loewe v. Lawlor); the individual members having known the meaning of the "unfair lists" which were within the ban of the statute as a restraint of interstate trade; the boycott being proved, the judgment was affirmed. Workers' families were evicted from their homes seized in execution of the judgment. As will soon be evident Justice Holmes at once appreciated the aim of the Clayton Act amendments, not so readily admitted by his colleagues.

Taft Classified "Business" As "Property"

Labor unions had reached sizeable proportions and labor cooperation was a weapon forcefully at work both in the economic and political field, by the first decade of this century. Theodore Roosevelt had been waiving the "big stick" over the heads of large corporations and "trust busting" became a colloquialism. The large corporate interests breathed more freely when William Howard Taft took over the reins. It was Taft who years later as Chief Justice (in holding that "business" was "property," like land) wrote in Truax v. Corrigan, 257 U. S. 312:

> "The Constitution was intended, its very purpose was, to prevent experimentation with the fundamental rights of the individuals."

Sherman Act Applied to "Unfair" Lists and "Boycotts"

But labor's efforts to undo the damage of Loewe v. Lawlor carried on. The application of the Sherman Act to bar the use of "unfair lists" boycotts in Buck Stove & Range Co. v. Amer. Fed. of Labor (219 U. S. 8), and the consequent action for contempt in Gompers v. Buck Stove & Range Co. (221 U. S. 418) only served to lend fuel to the flame of labor's "Bill of Grievances." Labor took to heart the caution given to capital by Chief Justice Waite in Munn v. Illinois (94 U. S. 113):

> "For protection against abuses by Legislatures, the people must resort to the polls, not to the Courts."

Clayton Act Passed to Exempt Labor Union From Anti-Trust Laws

Whatever may have been the doubts on Congressional intent in the case of the Sherman Act, with all the agitation in the intervening years, there should have been little doubt of the purpose of the Clayton Act amendments. They came as the answer to labor's incessant demand for clarification of the Sherman Act in relation to labor unions.

The Clayton Act was passed in October 1914. It dealt with general monopoly, price-fixing, trade discrimination practices, as well as with specific reference to the applicability of the anti-trust laws to labor. Secitons 6 and 20 are the key provisions and have been so treated by the Supreme Court. They are of sufficient importance to be read in greater part:

"The Labor Power of a Human Being Is Not a Commodity or Article of Commerce"

> "Section 6. That the labor of a human being is not a commodity or article of commerce. Nothing contained in the anti-trust laws shall be construed to forbid the existence and operation of labor, agricultural or horticultural organizations, instituted for the purposes of mutual help, and not having capital stock or conducted for profit, or to forbid or restrain individual members of such organizations from lawfully carrying out the legitimate objects thereof; nor shall such organizations or the members thereof, be held or construed to be illegal combinations or conspiracies in restraint of trade, under the anti-trust laws."

Federal Injunctions in Labor Disputes Banned

That would seem fairly clear and sweeping. But hear more:

> "Section 20. That no restraining order or injunction shall be granted by any court of the United States, or a judge or the judges thereof in any case between an employer and employees, or between employers and employees, or between employees, or between persons employed and persons seeking employment, involving, or growing out of, a dispute concerning terms or conditions of employment, unless necessary to prevent irreparable injury to property, or to a property right, of the party making the application, for which injury there is no adequate remedy at law, and such property or property rights must be described with particularity in the application, which must be in writing and sworn to by the applicant or by his agent or attorney.
>
> And no such restraining order or injunction shall prohibit any person or persons, whether singly or in concert, from terminating any relation of employment, or from ceasing to perform any work or labor, or from recommending, advising, or persuading others by peaceful means so to do; or from attending at any place where any such person or persons may lawfully be, for the purpose of peacefully obtaining or communicating information, or from peacefully persuading any person to work or to abstain from working; or from ceasing to patronize or to employ any party to such dispute, or from recommending, advising, or persuading others by peaceful and lawful means so to do; or from paying or giving to, or withholding from, any person engaged in such dispute, any strike benefits or other moneys or things of value; or from peacefully assembling in a lawful manner, and for lawful purposes; or from doing any act or thing which might lawfully be done in the absence of such dispute by any party thereto; nor shall any of the acts specified in this paragraph be considered or held to be violative of any law of the United States."
>
> —(Emphasis supplied.)

Hailed as Labor's "Magna Carta" by Gompers

Also quite a sweeping exemption in spirit as well as in terms! Small wonder that when Congress gave this answer to what Gompers called "Labor's Bill of Grievances," the "old man" hailed these sections as Labor's "Magna Carta." Certainly if the court, as Professor (now Justice) Frankfurter remarked, "like a silkworm spinning its own cocoon, has given meaning to the meaningless language of the Sherman Law," these enactments of a quarter-century later gave forceful expression to the intention by Congress to remove labor from its operations.

Labor's Interests Injured By Hitchman Coal Case Decision

Such hopes, however, were soon shattered. True, the stigma of unlawfulness was removed from labor unions as such. Further than that rampant capital would not yield.

In Hitchman Coal & Coke Co. v. Mitchell, 245 U. S. 229 (1917), a case arising before the Clayton Act and decided after its passage, the Supreme Court applied the Sherman Act against a union (The United Mine Workers) operating intrastate and decided, that the union was a conspiracy and unlawful under the Act.

The result, were it not for the Clayton Act, would have been devastating to trade unions, particularly in the light of the recent "flow of commerce" theory adopted in aid of the Wagner Act, Justices Brandeis, Holmes and Clarke dissented, a forerunner of many such alignments.

Justice Holmes' View On "Rule of Reason"

The "rule of reason" was applicable to industrial capital, but not to labor in enforcing the law. Holmes in a pithy sentence once said:

> "For the rational study of law, the black letter man may be the man of the present, but the man of the future is the man of statistics and the master of economics."

This last phase seemed to characterize the force of the Brandeis thesis to which Holmes was now lending his support. This combination bore fruit with the passage of the years. Only when its course had been run, when the prophet had gone and the words of the seer had been fulfilled, did the master of economics retire from the bench.

Duplex Printing Company Decision Nullified Clayton Act

The Supreme Court dealt the coup de grace to the Clayton Act amendments in Duplex Printing Co. v. Deering, 254 U. S. 443 (1921). By then, you will recall we had entered the period of hectic "normalcy" of sacred memory.

The Duplex Company was one of four companies making newspaper presses. The other three had been unionized by 1913 and the eight-hour day and minimum wage were embodied in their contracts. Duplex insisted on a ten-hour day and open shop. Competition endangered the others which were closed shops. The union struck at the Duplex plant and called for a boycott of Duplex presses, including refusal to work on them, to install them anywhere, and persuading prospective customers against purchase.

Petition for injunction was denied by Federal Judge Manton in 1917—under the Clayton Act provisions. The union's acts had been peaceful. The Circuit Court affirmed. The Supreme Court of the United States reversed, 6 to 3, Justices Brandeis, Holmes and Clarke again dissenting. Only Justice McReynolds today remains of the majority, whose opinion by Justice Pitney sounds rather strange in the light of the swiftly

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SOLICITOR GENERAL EPSTEIN OF NEW YORK ISSUES STRONG WARNING AGAINST APPLICATION OF ANTI-TRUST LAWS TO LABOR ORGANIZATIONS

(Continued from Page 1)

moving decades of progressive social and labor legislation:

> "It is settled by these decisions" (referring to prior Sherman Act cases) "that such a restraint produced by peaceable persuasion is as much within the prohibition as one accomplished by force or threats of force; and it is not to be justified by the fact that the participants in the combination or conspiracy may have some object beneficial to themselves or their associates which possibly they might have been at liberty to pursue in the absence of the statute." (p. 468.)

(Do you remember the sweeping language of sections 6 and 20?)

Justice Brandeis Dissented

The stirring dissent emphasizes that all the acts complained of were peaceful; that no inducement to breaches of contract was involved; that one out of four constituting the entire industry would be able to destroy harmony and to batter labor into submission to longer hours and lower wages through the inexorable working of competitive economics. Said Justice Brandeis, in dissenting:

> "May not all with a common interest join in refusing to expend their labor upon articles whose very production constitutes an attack upon their standard of living and the institution which they are convinced supports it?" (p. 481.)
>
> "Congress, not the judges, was the body which should declare what public policy in regard to the industrial struggle demands."
>
> "In other words the Clayton Act substituted the opinion of Congress as to the propriety of the purposes for that of differing judges; and thereby it declared that the relations between employers of labor and workingmen were competitive relations, that organized competition was not harmful and that it justified injuries necessarily inflicted in its course." (p. 486—Boldface supplied.)
>
> "But it is not for judges to determine * * * the limits of permissible contest and to declare the duties which the new situation demands. That is the function of the legislature which, while limiting individual and group rights of aggression and defense, may substitute processes of justice for the more primitive method of trial by combat." (p 488.)

Well might it have been added that no more is it the function of administrative officials to substitute their judgment for that of Congress in defining the limits of the enforceable, nor to whittle away by qualifying refinements, the clear purposes defined by the legislature.

Lower Courts Regarded Labor Unions as Exempted From Anti-Trust Laws

There is further evidence that the lower Federal courts had regarded labor unions outside the scope of the anti-trust laws. This evidence goes back even beyond the Clayton Act amendments. In National Fireproofing Co. v. Mason Builders' Ass'n, et al. (169 Fed. 259—decided 1909), the plaintiff manufactured 50 per cent of the entire domestic output of fireproofing material.

Importance of Decision In Mason Builders Case

Defendant "Builders" was a membership corporation comprising a large part, but not a majority of the mason builders of the Metropolitan New York area. The defendants bricklayers' unions comprised practically all the bricklayers available—a complete labor monopoly. By the contract between the Builders' Association and the unions, wages, hours, conditions of work and other factors were adjusted, regulated and controlled. Also (1) All work of a mason character calling for bricklayers must be included in the general contract and must not be sub-let. (2) No union member is permitted to work for a builder not complying with the regulations of the Association, which also forbade members sub-letting any such part of contracts. This last provision was at the request of the Association to keep its members in line. Naturally this included most fireproofing work. Such contracts had been in force since 1893 without attack.

In 1903 the National Fireproofing Co., itself almost a monopoly in the area, entered into a contract for fireproofing a large building job. The defendant builders' association notified the plaintiff Fireproofing Co. of its agreement with the unions. The unions struck on the job. Plaintiff, unable to perform his contract, sought an injunction against enforcement by the unions and the Association of their contract as an unlawful restraint of trade and an interference with plaintiff's business and property.

The district court dismissed the complaint and the Circuit Court affirmed. There was no appeal to the Supreme Court. The contract was sustained as one for a proper and lawful purpose, not a violation of the Sherman Act, nor of the State anti-trust law (in practically same form). The contract and the union's enforcement did not constitute an unlawful conspiracy, even to the extent that it protected the agreement of the Builders' Association.

From 1893 to date; from the Mason Builders' case in 1909 to date—more than a quarter century, no Attorney General has sought to attack such agreements by labor as an infringement on the anti-trust laws. The building industry, I understand, has come to regard such contracts as standard.

Government Now, For the First Time in 40 Years, Threatens to Use Sherman Act to Invalidate Union Agreements

Now, for the first time in over 40 years, the Government itself threatens in Detroit, in Pittsburgh and in New York to trot out the Sherman Act to invalidate such agreements. The reason assigned is the existence of abuses in an industry to which abuses it is said labor is a party. We may well call to mind the calm words of the late Justice Cardozo, spoken in Story v. Craig (231 N. Y. 33, 40), in New York Court of Appeals:

> "We do not readily overturn the settled practice of the years."

There are other penal statutes at hand for meeting such abuses if criminal in character. The Congress is the body to which appeal is due for remedial measures. You don't burn the barn to roast the pig.

We cannot treat the chronology of the anti-trust law's relation to labor without referring to Coronado Coal Co. v. United Mine Workers, 259 U. S. 344 (1922) and Nat'l Association of Window Glass Manufacturers v. U. S., 263 U. S. 403.

In the Coronado case the United Mine Workers were sued and a verdict rendered of $740,000, which, because of treble damages, grew to $2,220,000. The Supreme Court with its then narrow concept of interstate commerce, reversed by holding that the parent organization was not shown to have authorized the strike and only the District union was responsible; further that mining coal was not an occupation whose obstruction interfered with interstate commerce. (Compare the Wagner Act cases following Carter v. Carter Coal Co.). Here, however, was a clear ruling that trade unions, as associations, were liable in damages for the effects of their concerted efforts even though peaceful. But the Sherman Act was only applicable if the interference with production within a State were intended to restrain interstate commerce. The implications, however, were clearly adverse to any united labor action over a field of industrial activity covering several States.

Opinion in Window Glass Manufacturers Case Weighed

Labor thought it saw some light, however, in the decision in the case of National Association of Window Glass Manufacturers. In 1922 the Window Glass Workers union (hand blown glass) entered into agreements with manufacturers regulating wages, hours, conditions, spread of work, etc., and other conditions. It dealt only with hand-blown glass, and the industry was one only seeking to stave off the inevitable because of the rapid growth of machined glass.

Manufacturers and union both appealed from the government's action aimed to destroy an agreement that was proving a boon to a dying body of workers and a small group of manufacturers. Holmes, in a trenchant discourse on the forces at work, wrote for the unanimous court, reversing the lower courts and holding the Sherman Act inapplicable: "It is enough that we see no combination in unreasonable restraint of trade in the arrangements made to meet the short supply of men." The hopes which arose from this case, however, would have to be limited to obsolete industries and dying organizations. When applied to expounding union activity, they were found to be groundless.

One could go on for hours reciting cases, opinions, facts, all intensely interesting—each pregnant with the vital elements of this age-old conflict, in which by this time there was observable an increasing tempo.

Decision in Bedford Stone Cutters Case Duplicated Duplex Opinion

Let me comment on one more case before bringing the discussion closer to our own day. In Bedford Cut Stone Co. et al. v. Stone Cutters Ass'n, 274 U. S. 37, the performance of the Supreme Court in Duplex v. Deering was repeated, again with a powerful dissent by Brandeis in which Holmes joined, but this time with Justices Canford and Stone concurring solely in deference to the decision of the court in Duplex v Deering.

Justice Stone quite forcefully declared that as an original proposition he would have thought the Clayton Act had provided an exemption, but because of the rejection of that view so recently in the Duplex case, he went along with the majority. His more courageous expressions since then in such cases as Morehead v. Tipaldo (minimum wage), would indicate that today he would be found on the other side.

As pointed out by Justice Brandeis, it was wholly unnecessary to consider whether the restraint, wholly intrastate, operated upon interstate commerce. The union's conduct, refusing to work on products of non-union labor, being wholly reasonable action, should not be distorted by hyper-legalistic magic into an unreasonable restraint under the Sherman Act.

> "It would, indeed, be strange, if Congress had by the same Act (Clayton Act) willed to deny to members of a small craft of workingmen the right to cooperate in simply refraining from work, when that course was the only means of self-protection against a combination of militant and powerful employers." (p. 65.)

When we recall the sweeping language of the Clayton Act amendments we can understand labor's resentment against a judicial veto which is not even constitutionally well founded.

Underlying Principles of Norris-La Guardia Anti-Injunction Act

By this time labor once more had its crown of thorns and it became the work of another decade to regain what was thought to have been the victory of the Clayton Act. If, however, we say that the Sherman Act did have application to labor unions; if we assume that the Clayton Act did not alter that doubtful legal thesis, what shall we say of the aims of the Norris-La Guardia Act of 1932? Its public policy is forcefully stated:

> "It is necessary that he" (the worker) "have full freedom of association, self-organization, and designation of representatives of his own choosing, to negotiate the terms and conditions of his employment, and that he shall be free from the interference, restraint, or coercion of employers of labor, or their agents, in the designation of such representatives or in self-organization or in other concerted activities for the purpose of collective bargaining or other mutual aid or protection." (§ 102.)

No court of the United States is authorized to grant injunctions contrary to that declared public policy (§ 101). Now look at the Bill of Particulars of the acts which may not be enjoined. Here is a veritable catalogue of labor's long desired "bill of rights": No injunction against

(a) Ceasing or refusing to work.

(b) Joining any labor or employer organization.

(c) Paying strike benefits.

(d) Aiding by lawful means suits in courts.

(e) Publicity to facts involved in labor disputes by advertising, speaking, patrolling, "or by any other method not involving fraud or violence."

(f) Peaceable assembly in aid thereof.

(g) Advising others of such intentions.

(h) Agreeing with others not to do, or to do any of these acts.

(i) Urging or inducing any of these acts, short of fraud or violence. (§ 104.)

Further, it is declared that injunctions may not be based on any alleged conspiracy or unlawful agreement by reason of concerted action to gain these ends or to do these acts. Procedure is carefully defined to safeguard these rights, now detailed so he who sits in administrative offices may read, as well as he who runs. (State laws in New York and Wisconsin have granted similar protection.)

What now shall be said to be the law of anti-trust as applied to labor? One must indeed be afflicted with legal myopia not to read the repudiation of Loewe v. Lawlor and Duplex v. Deering in the Norris-La Guardia Act and in the philosophy of the decisions of Senn v. Tile Layers Union (301 U. S. 468) and New Negro Alliance v. Sanitary Grocery Co. (303 U. S. 552).

Supreme Court's Decision In Senn Picketing Case

The Supreme Court would seem to have been done with what Dean Landis has called "the showman's game of uncovering peas of meaning under shells that Congress had left empty." (44 H. L. R. 875.)

In the Senn case the union sought by picketing to prevent the plaintiff from working at his chosen trade and to compel him to become a contractor with his employes joining the defendant union. He was ineligible himself for union membership since he was an employer. Injunction against the union was denied to the plaintiff. The case is important, not alone because of its limited facts, but because of its implications when the scale is magnified. Said the Supreme Court:

> "There is nothing in the Federal Constitution which forbids unions from competing with non-union concerns for customers by means of picketing as freely as one merchant competes with another by means of advertisements in the press, by circulars, or by his window display." (481-2.)
>
> "One has no constitutional right to a 'remedy' against the lawful conduct of another."

All the dissenters, except Justice McReynolds, have now passed from out the marbled halls of "Equal Justice Under the Law."

In the New Negro Alliance case, pickets and boycotts were resorted to in an endeavor to force the employment of Negroes. Justice Roberts left no uncertainty as to the bearing of the Norris-La Guradia Act on the Clayton Act decisions. Citing those cases in his marginal note, he says:

> "The legislative history of the Act demonstrates that it was the purpose of the Congress further to extend the prohibitions of the Clayton Act respecting the exercise of jurisdiction by Federal courts and to obviate the results of the judicial construction of that Act." (p. 562.) (Emphasis supplied.)

Once more only Mr. Justice McReynolds remains of the dwindling dissenters.

What, too, shall we say in the light of the ensuing Wagner Act and the decisions sustaining its provisions by the wholesale? No one can be heard to say that they diminish the "hard-won extra-judicial remedies of strike, boycott, picketing" and concerted action, whether within or without the States, so long as free from fraud or violence. We find reaffirmed the right "to engage in concerted activities, for the purpose of collective bargaining or other mutual aid or protection." (§ 7) in the words of the Norris-La Guardia Act.

Justice Department's New Application of Sherman Act to Trade Unions Analyzed

It is outside the scope of this discussion to take up the Labor Relations Act or the cases thereunder. We now come to the more recent problems out of which arise the threatened application to trade unions of the fleshless skeleton of the Sherman Act.

These problems are presented by the use to which employer groups seek to put labor unions by reason of their apparent exemption from anti-trust laws. We have been facing some of them in New York, and they have been observed elsewhere. An association of employers contracts with labor unions. The contract calls for standardized wage rates, for service charges having a direct and intimate relationship to labor aims in wages and hours. The contract may also call upon the unions not to permit work for anyone not abiding by the regulations of the association or for anyone not a member. The association by its regulations and inside agreements arranges division of territory, rigging of bids, division of proceeds and other invalid practices.

It is said that the contract cannot be good for one party and not good for another. There is one decision I believe in a lower New York court so holding. This reasoning is faulty. The contract, if it calls for improper acts in aid of unlawful ends of the employer group, may be invalid, and yet the penalty for such invalidity may not be enforceable against the labor union.

The employer groups know full well what they are up to—or they should be held for such knowledge. The workers are at a disadvantage—their aims are in wages, hours, working conditions, and in stabilizing employment. The invalidity of the contract may, if struck down, prevent their attaining these ends. It should not, however, subject the union to prosecution. The employer group is properly the subject of both prosecution and injunction.

Suppose, however, we are asked, the unions insist on enforcing what is held to be an invalid contract, by disregarding the holding, and seek nevertheless by strike, peaceful picketing and boycott, to compel the employers to perform the invalid agreement?

Criminal Conspiracy Laws, Not Anti-Trust Laws, Should Be Used

The answer should be found in such statutes as criminal conspiracy laws which might be applicable, in contempt proceedings, and also in the powers of equity courts to enjoin coercive acts designed to force unlawful ends. If more be needed, let Congress provide the remedy. In no case, however, should it be found necessary so to distort the purpose of the anti-trust laws as to bring their weapons to bear upon labor in quest of its proper goal.

Many Judicial Meanings Attached to the Word "Reasonable"

The word "reasonable" has as many meanings as there are persons who seek to marshal facts in support or opposition to its application. It was not unreasonable that 50 per cent of the steel industry of the United States was concentrated in the U. S. Steel corporation (U. S. v. U. S. Steel Corporation, 251 U. S. 417); it was not unreasonable that practically all the shoe machinery manufacture of the country, with the resulting control of the entire shoe industry, was in one corporation (U. S. v. United Shoe Mach. Co., 247 U. S. 32); it was not unreasonable in order to stabilize prices and avoid chaotic conditions to allow combinations in the coal industry (Appalachian Coals, Inc. et al. v. U. S., 288 U. S. 344), nor in the Sugar Institute case (Sugar Institute Inc. v. U. S., 297 U. S. 553).

Application of "Unreasonable Restraint" to Labor Union Policies Questioned

Where, then, does one find the "unreasonable restraint" in labor's use of its "hard-won extra-judicial remedies of strike, boycott and picketing?" If not in violation of the Sherman and Clayton acts when utilized to achieve proper labor objectives without contracts with employer groups, why should they become any more illegal for labor, when party to such agreements?

If the lash of invalidity must fall, let it fall, as intended by Congress, on the backs of those against whom aimed, and whose backs are broad enough to bear it, not upon the harrassed neck of the trade union movement, before it has achieved full recognition by society.

Five-Point Analysis of Justice Department's Policy for Prosecuting Unions Under Sherman Act

Thus far I have refrained from reference to the specific pronouncement of the Department of Justice recently because it is better judged in the light of the background of the anti-trust laws and their case-law evolution. (An excellent treatment of the proposals is found in the December issue of the International Juridical Association Bulletin, which I commend to you for its well-written notes, irrespective of your judgment of its possible bias.) Unions are to be prosecuted:

(1) For concerted efforts to prevent use of cheaper materials or more efficient methods. Where is the borderline of exploitation, or speed-up methods? Is this within the omniscience of an administrative official? Will prosecutor now supplant the courts and become a new legislative authority? Having had judicial legislation, are we now to have administrative legislation?

(2) For compelling the hiring of useless or unnecessary labor. Compare this with Senn v. Tile Layers' Union. Who invests the prosecutor with such capacity to determine one of the most vital factors in the economic war engendered by technology? When and if duly authorized by Congress, this may in time become a proper field for an administrative tribunal carefully to survey before acting.

(3) For being parties to and enforcing graft and extortion. It is a sad day when prosecution cannot stop this by means of criminal and penal statutes. Is the prosecution of Capone on income tax violation to excuse the failure of enforcement of criminal laws more directly applicable? Or of Fritz Kuhn for petty larceny to cover the failure to prosecute a multitude of offenses against civil rights?

(4) For agreements to fix prices. When these involve a direct relationship to labor rates and hours, a close question weighted on labor's side is presented. The evil can, as I have indicated, be reached without applying this law to labor.

(5) For destroying an established system of lawful collective bargaining. I suppose this means cross-picketing or disestablishment of company unions. Cannot these be left to the Wagner Act, and is not that their proper sphere?

Ineffectively Applied Against Industrial Combinations

There may be undisclosed, yet persuasive reason why the Sherman Act is now being pressed against labor unions. Such reason may be found in the President's own estimate of its negligible results.

In the December issue of the Yale Law Journal the almost 50 years of Sherman Law enforcement is summed up us having "for a number of reasons * * * failed utterly in application." For example, as a criminal statute, its chief character, it has resulted in 107 successes as against 95 defeats, and of the former 74 were pleas of guilty or defaults. There were 28 convictions and 31 dismissals of various kinds, not a very impressive record against large industrial capital units which we have seen develop. There was some minor success in segregating the Standard Oil units, but in the American Tobacco Company, United States Steel, International Harvester, United Shoe Machinery, Aluminum Co. of America, and like cases, the competitive field has been and is practically barren.

Application to Trade Unions Is Not Statesmanlike

Perhaps as suggested by others, an administrative agency would be better able to cope with the problem. But is it possible that, to revive public hopes in the Sherman Act, so signally ineffective against large scale capital whose units are too strongly armored, the ancient weapon is now to be turned against trade unions, whose armor is thought to be less durable? This would seem to be an attempt by a legal paleontologist to reconstruct from a single ancient fossil "the skeleton of a prehistoric mastodon" with which to terrorize labor unions into abject submission until another period of prosperous "normalcy" shall have rolled over it. This, it is respectfully submitted, is not lawyerlike, nor statesmanlike policy in the administration of laws, whose application should have regard for the changing scenes wrought by social and economic forces.

Financially Weak Unions Victimized

This present threatened revival of enforcement is reminiscent of Taliaferro v. U. S. (290 Fed. 214, 906) where the fearsome Sherman Act, aimed at industrial monopolies, "was used to punish a barber who displayed a placard" favorable to labor and "some strikers whose picketing hindered the single shipment of a billet of steel." (Berman—p. 149.)

I have in my possession a letter from an attorney for a small union which sought, by peacefully picketing retail stores in New York against the products of non-union labor there sold, to bring enough economic pressure to bear, to compel unionization of the producer in New Jersey. The case would seem, except for its interstate effect, to come squarely within the permitted acts under Goldfinger v. Feintuch, 276 N. Y. 281. The United States Attorney threatened criminal prosecution against the union for its orderly picketing. The Attorney General in Washington was asked the why and wherefore. Answer came as follows:

> "After careful consideration of these matters, there appears to be no reason why the Department of Justice should not proceed to take whatever steps appear to be necessary with respect to this situation."

The union, being poor in funds, unable to withstand litigation, gave up its legal right. There may be other instances.

"Is Time Unrecorded in the Sanctuary Where Reposes the Sherman Act?"

Once, a long time ago, when Theodore Roosevelt's Attorney General, Philander C. Knox, began enforcing the Sherman Act by serving the complaint on the Northern Securities Company, it is related that J. P. Morgan telephoned to advise that the effect on Wall Street was not a happy one. Knox is said to have replied: "The stock-ticker does not tick in the Department of Justice." One might be moved to inquire whether time is also unrecorded in the sanctuary where reposes the Sherman Act.

Administration Machinery of Government Should Not Be Used to Nullify Dominant Opinion

In the American Democracy, as indeed everywhere in the world, insecurity reigns. In a society such as we have, labor and capital alike seek security. Fear of insecurity drives each to seek the quick advantage of the other. To the extent that political action has been necessary to prevent gross exploitation and aggression by capital, such legislation has been evidence of an appeal by labor to the proper forum—the legislative halls.

The entire purpose of our democratic government is perverted when we use its administrative machinery to prevent the victory of opinion which can adduce reasonable evidence to support its right to dominance, and which has been attained through the legislative process.

Law Should Be Correlated To Reality in Labor Disputes

These rapid changes in laws dealing with labor and union activities are the natural consequence of changing economic and social conditions which have made changed union activities also necessary. Broader markets, rapid transportation, competitive area brought closer together—these have made national union action essential and have forced on local unions the necessity of coordination over State, regional, national and industrial areas.

The law enforcement officer or judge who is not sufficiently alert to correlate the law to reality in labor disputes does injury more irreparable by far to society than any allegedly "unlawful" activity in pretended violation of anti-trust laws does to sacred property.

Unionism is the result of the evolution of a wage relationship instead of the old status of the individual workers in industry. That relationship demands concerted action over broad areas, in whole industries, in whatever time and place the objective of improved conditions can be best promoted. Law and the courts must recognize this. One would have thought the educational process had filtered through by this time.

Civil Rights Must Be Preserved

One final word—there is a relationship between the application of the Sherman Law to labor unions and the vital question of preservation of civil rights.

Yes—I know that this will appear to some as an attempt to drag civil liberties into the picture for its emotional value. That is not my purpose. Labor's organization, its employment of the only weapons available to it in its struggle for its objectives, are all dependent on a vigilant protection of the basic civil rights of a democratic people.

Free speech, free press, free assembly, extension of the suffrage, equal justice under the law—these are the bulwarks without which the strike, the picket, boycott and collective bargaining must inevitably fail. In the struggle each side will call upon these sacred liberties to suppress the other.

If we are a decadent society, let us make no pretense that the shambles of democracy can withstand the onslaught of two such powerful and conflicting forces.

If we are today a strong and still virile social community we can allow full and free exercise of these rights to both sides.

Let labor not underestimate the warning that has been flung out from the walls of granite in this city where the voices of the Nation too often sound so far-off and weak.

A cathedral centuries in the building may be destroyed in a moment. The rewards of fifty years of labor's unceasing effort now stand challenged. To all organized labor in this country, without qualification, I give the words of the Holy Book:

> "Arise, therefore, and be doing, and the Lord be with thee."

A. F. of L. Cooperates Fully With World Congress For Education and Democracy

By A. F. of L. Weekly News Service.

Firmly convinced that organized effort is important in preventing inroads on the democratic way of life, the 1939 convention of the American Federation of Labor declared in favor of continued cooperation with the World Congress on Education and Democracy.

On this subject the A. F. of L. Executive Council, in their annual report, said:

"Our 1938 convention recommended a Vocational Education Congress in connection with the World's Fair held in New York. Without knowing of our resolution, Columbia University took the initiative in calling a World Congress on Education and Labor. Rather than sponsor two world education conferences it seemed better to relate the two purposes. The American Federation of Labor therefore agreed to cooperate with the Congress for Labor and Democracy and appointed a large participating committee. That congress convened August 15-17, 1939."

International Conference Promoted by A. F. of L.

In elaborating on the Council's statement, the convention Committee on Education submitted the following report on "World Congress and Education for Democracy," which the convention unanimously adopted:

"A year ago the Committee on Education, in anticipation of the opening of two World Fairs in New York and San Francisco, respectively, pointed out the unique opportunity which these fairs provided for the holding of an International Conference on Technical Education.

"The committee recommended that the United States Office of Education be invited to use its good offices in setting up such a conference and recommended that a representative national committee be appointed to sponsor such a conference, in which the American Federation of Labor should be properly represented.

"This proposal was discussed with the United States Office of Education, with the Director of the National Occupational Conference, the American Youth Commission, the Dean of Teachers' College at Columbia University, and with several other national associations on education. It awakened great interest. It was hoped that this conference might be held during the summer of 1939 in New York.

World Conference to Support Democratic Way of Life Held in New York

"In the meantime, events in the world moved with great rapidity. It became clear that a prior need was the rallying of the forces in education that were devoted to the perpetuation of the democratic way of life. Accordingly Teachers' College at Columbia University assumed the initiative in calling such a World Congress on Education for Democracy, and invited the collaboration of leading institutions of business, labor and farmers. The Federation of Labor was invited to membership in this Congress. The Workers Education Bureau was also invited to confer on planning the program for the Congress.

"When this Congress was convened in August of this year, it was evident to everyone that the challenge of dictatorship to democracy had become acute. With war clouds gathering over Europe, the Congress met in the City of New York. It was a time of deepening crisis in the world. The need for a world-wide message in support of democracy was urgent. The Congress met that need.

"Moreover, this great assembly brought leaders of State and education from different parts of the world and representatives from no less than 28 different national organizations in American life. By addresses, which were broadcast through the world, through the press, and in the movies, the message of this Congress reached literally to the four corners of the earth.

Three-Point Program Adopted

"Arising out of this Congress was the decision for a three-fold program. (1) A continuing agency for the perpetuation of the Congress for a period of five years; (2) the development of a manual for the guidance of local groups, and (3) the development of basic research in the field of education and democracy.

"Responsive to the invitation of President Green, Dean William F. Russell of Teachers' College at Columbia University addressed the Fifty-ninth Convention of the American Federation of Labor and reported briefly on the work of this Congress. He invited the continued cooperation on the part of the American Federation of Labor.

"In the light of a great need for unity within the life of America at this time, and also the insistent need for perpetuating the democratic way of life, your committee recommends that the American Federation of Labor, through the cooperation of the Permanent Committee on Education, be authorized to cooperate fully with the Congress in carrying out its broad social objectives."

DAVISON ASSAILS EUROPEAN "ISMS"

Communism, Fascism and Nazism Seek Destruction of Trade Unionism, Machinists' Secretary Declares.

By A. F. of L. Weekly News Service.

Alexandria, Va.—Former Mayor Emmet C. Davison of this city, who is the general secretary of the International Association of Machinists, with more than 200,000 members scattered throughout the United States, Canada and the Canal Zone, attacks "isms" in the forthcoming January 27 issue of Liberty Magazine and defends the democracy inherent, he says, in the American Federation of Labor.

Pointing out that Nazism, Fascism and Communism immediately destroy trade unions, Mr. Davison, making his second appearance as a writer, emphasizes the point that hordes of immigrants to America were all motivated by the desire to "mind their own business" rather than having European governments "mind their business for them."

The Davison article tells of the fight loyal machinists are making in their employment in Navy Yards, arsenals, airplane and munition factories to stimey foreign espionage agents and sabotage.

Asked if this article in Liberty Magazine was the opening gun in his campagin for the Democratic Senatorial nomination in Virginia in opposition to Senator Harry F. Byrd, Mr. Davison said it was not.

BAKERY WORKERS UNION ISSUES FINE CALENDAR

Chicago, Ill. (AFLWNS).—The "1940 Yearly Calendar of the Bakery and Confectionery Workers International Union of America," A. F. of L. affiliate, is a product of which the union may well be proud.

The calendar is twenty inches high, thirteen inches wide, and contains a separate page for every month. The lower half of each page contains a calendar for the month, and the upper half is devoted to a picture emphasizing the importance of buying union-made bakery goods.

The January page is a work of art. A guide post in the form of a beacon decorated with the union label of the Bakery Workers Union shows the way to the "Harbor of Organization" and the "Haven of Collective Bargaining," the "Harbor" and "Haven" being the Bakery Workers union label. Below the picture are a number of bakery union members with their hands outstretched toward the beacon.

On the March page of the calendar there is a picture of a room where representatives of the union and employers are discussing the provisions of a union agreement. Under the picture is the inscription: "Collective bargaining is the only means of insuring perfect understanding between the real representatives of labor and capital. This also insures coordination and constant improvement of the status of the worker."

On the April page there is a picture showing a hall well filled with union members who are considering an agreement negotiated by union officials with employers. Under the picture there is this inscription: "Ratification of Agreements—The vote is an instrument that was created by the founders of democracy. It was created to insure each member of a nation or organization a voice and an expression of approval or disapproval in all things concerning his welfare. It is the only true method of reaching an honest and just decision through industrial democracy'."

All the other pages of the calendar are decorated with similar works of art detailing the various functions performed by the Bakery and Confectionery Workers Union and the benefits of those functions to union members, consumers, employers, and the public generally.

The calendar for each month emphasizes the importance of purchasing bakery goods from union shops only.

WELFARE UNITS DISCUSS CARE FOR AGED WORKERS

Washington, D. C. (AFLWNS).—Professional welfare workers elaborated at length on the needs of the aged, most of whom have been refused employment by private industry, at a session here of the Institute on Problems of the Aged sponsored by a Joint Committee of the Health and Family Welfare Divisions of the Council of Social Agencies.

The Institute evidently regards the needy unemployed and aged as an integral part of our system of production and distribution of wealth, and visions adequate care for them as the primary problem instead of reorganizing industry so as to provide a job at reasonable wages for every worker—old, middle-aged, and young.

Watt Outlines University Women's Duty In Education For Democracy

International Labor Representative of the American Federation of Labor Tells American Association of University Women They Should "Plunge Into Life As It Is Lived Outside of Women's Clubs or College Teas" and Help the American Federation of Labor to "Provide the Checks and Balances So Necessary If We Are to Preserve Our Democracy and Make the Oligarchy of Commerce and Industry Serve the Needs, the Hopes and the Capacities of the American People."

By A. F. of L. Weekly News Service.

The aspirations of working men and women in the United States, the development of the trade union movement as a potent influence in our economic and social system, the necessity of thorough education of both workers and college graduates in the principles of democracy and the important functions that women who have had the advantage of college deucation should perform in the process of developing democratic institutions were vigorously expressed by Robert J. Watt, International Labor Representative of the American Federation of Labor, in an address entitled "Labor Looks at Education and Democracy," delivered recently before the American Association of University Women at Simmons College, Boston, Massachusetts.

After tracing the growth of trade unionism in the United States through the long period when the right to organize in unions was not a statutory one and when large sections of employers persisted in blacklisting union members, Mr. Watt said:

International Labor Representative, American Federation of Labor

ROBERT J. WATT

Education and Democracy March Together

Education and Democracy should be the twin pillars of our representative form of government. They are the sentinels of liberty. They are the test of progress. And neither of them is functioning on all cylinders today.

We as a people take so much for granted that we fail to inspect, overhaul and rehabilitate the machinery upon which our way of life is fashioned. I am not posing as a gloomy prophet because I believe we have more to be thankful for than otherwise.

Education too long has looked backward with dull eyes. No doubt there is useful discipline in the learning of Latin or in the studying of ancient history. But I wonder how far the teachers themselves think of why they are teaching? I doubt if they do so very often. I suspect they become almost as mechanical in the routine as do the men who stand at their appointed places on the Ford assembly line. Unfortunately the assembly line is a poor way to turn out able citizens of a great democracy.

Youth Must Have Understanding of Economic Problems

I suggest that teachers need to not only think why they are teaching but also to create understanding among the boys and girls whom we must look to to solve the problems of economic, political and social relationships in the world of tomorrow.

Obviously this has not been accomplished in the past. If education had created live understanding of reality, there would not have been so many gullible ears to listen to Charles E. Coughlin or Gerald L. K. Smith, Fritz Kuhn or Earl Browder. In fact, if education had faced reality, perhaps the grim realities of today would not be haunting us.

To this group of University Women, both those fortunate enough to have passed through the formalities of education and especially those now fortunate enough to have the opportunity to kindle the mind of youth, I suggest that you should first plunge into life as it is lived outside of women's clubs or college teas.

Prejudice Should Be Eliminated

Now I am not urging you to become self-consciously "liberal"—so called. What we used to call "Parlor Pinks" and what the broadcasting Congressman from Texas calls "Fellow Travelers" are somewhat of a drag on the chariot of progress. Usually such people are simply victims for any man with long hair or an overstuffed soap box.

I urge instead that you look at economic, social and political problems and cross-examine yourself as to how far your prejudices do blind your understanding.

Massachusetts Consumers League Commended

As an example of an intelligent approach let me cite the activities of the Consumers' League of Massachusetts, an organization of conscientious men and women who take time to look at reality.

The members of that organization in Massachusetts believe with labor unions that the willingness of the few or the need of the many to work excessive hours for insufficient pay should not be permitted to destroy the standards of American life.

They successfully sponsored legislation during 1939 and were supported by the Massachusetts State Federation of Labor and other A. F. of L. unions to close gaps in our labor laws which by experience had been found highly dangerous. Men and women who want to take part in something worth while and take time enough to think and understand will find in the Consumers' League an opportunity to serve their communities intelligently.

Real Meaning of Democracy

And that brings me to the subject of democracy. I am told that a fellow named Plato regarded democracy as the rule of the mob.

I don't like the word "mob" but I would be willing to substitute the word "the masses." To avoid misunderstanding I would prefer however to fall back on Abraham Lincoln's definition. Government by the people has evolved through the centuries as man has managed to win some margin of time in which to think for himself.

Democracy is not merely a set of machinery to be installed upon order. It requires a fertile soil enriched by the fibre of courage, discipline and tolerance.

Intellectual Freedom Essential For Democratic Institutions

It is no accident that the tradition of authority which pervaded German thought broke through the troubled surface of the shortlived German democracy and caused an otherwise intelligent people to sell themselves down the river to crafty charlatans.

Neither was it strange that the centuries of Russian serfdom produced a Soviet oligarchy to replace the insufferable stupidity of the Czars.

But, likewise, the patient growth of democracy in other nations has been no accident. In Great Britain, France, Scandinavia or Czechoslovakia as well as in the United States and Canada, there is a tradition of hard won education, self-respect and tolerance which have created a fibre sturdy enough to withstand temporary adversities.

The success of democracy in our nation will depend in the future upon the intelligence, education and zeal of its members as well as upon its physical defenses against aggression from without or sabotage from within. It will advance only by progress and freedom of the intellect and conscience of all the people whether they sit in the executive's arm chair or sweat in the foundry.

America Must Have An Economic Democracy

We in the United States have a political democracy. We want also an economic democracy in which the representatives of those who hire and those who are hired are able to sit down together in harmony and solve the basic problems of production and distribution which must be solved if our system of government is to be preserved.

We of American labor are as jealous of property rights as you are, but we see property rights as a means for the advancement of human rights rather than as a repression of the many for the excessive comforts of the few.

The needs of the multitude can be a bulwark for our representative democracy and for our system of private property if the multitudes are given the opportunity to earn enough to live on and enough to keep the wheels of industry and commerce functioning.

None of us want to think of the alternative to representative democracy. We shall not need to risk chaos if those who have been privileged will understand that workers should be their friends and partners rather than their enemy.

Solution of Economic Maladjustments Is Possible

We look to the women of America to face reality with courage and confidence. The solving of our economic maladjustments is as big a challenge as the job of winning a war of conquering disease. It needs patience, capacity and understanding. It needs leadership.

As I said at the beginning you who have enjoyed superior environment and education are the ones who should blaze the way and lead in finding the solution. But you cannot do it if you think the world is centered in Beacon Street or Park Avenue. You can do no greater service to your country, your group and yourselves than to learn the needs and help find the solution.

The challenge of today is not one of breast-beating for our sins of omission and commission. We have indeed failed often enough but it is time to leave the wailing wall and face forward.

Let us view the past only so as to avoid repeating mistakes and to avoid listening again to the vicious crackpots who would cost us our birthrights.

And most of all, I ask you here to look at reality hard enough and long enough to help us in the American Federation of Labor to provide the checks and balances so necessary if we are to preserve our democracy and make the oligarchy of commerce and industry serve the needs, the hopes and the capacities of the American people.

COMPANY'S ANTI-UNION POLICY ORDERED ENDED

Nebraska Power Concern's Official Antagonized A. F. of L. Electrical Workers Brotherhood.

By A. F. of L. Weekly News Service.

Washington, D. C.—The National Labor Relations Board announced the issuance of an order directing the Nebraska Power Company of Omaha, Nebraska, to cease interfering with its employes in the exercise of their right of self-organization as guaranteed in the National Labor Relations Act.

The finding of a violation of the Act was based on statements made by Turner, assistant superintendent of the company's generating plant, to two employes. The evidence showed that Turner spoke disparagingly of men who had attended a meeting of International Brotherhood of Electrical Workers, affiliated with the American Federation of Labor, which was then conducting a membership campaign among the company's employes; inquired why they attended the meeting; accused one man of being an "unloyal" employe; and wanted to know "what he had up his craw."

As a result of a protest by an international representative of the International Brotherhood of Electrical Workers to Davidson, president of the company, the latter called in supervisors and foremen and warned them that they must avoid making any remarks to employes concerning the International Brotherhood of Electrical Workers. Turner, especially, was admonished concerning such action in the future.

However, Davidson refused to accede to the International Brotherhood of Electrical Workers' request that he post notices to the effect that it had no objection to its employes joining the union. Although the board stated there was no obligation on the part of the company to post such notices, it held that since the company had never directly informed its employes that Turner's statements were contrary to its policy, there remained more to be done to overcome the effect of the statements.

HOUSING COST IS LOW IN BALTIMORE PROJECT

Unimproved Land for Site Is Major Element in Economy Factor.

By A. F. of L. Weekly News Service.

Washington, D. C.—According to the United States Housing Authority the opening of construction bids recently on "Armistead Gardens," the first low-rent housing project in Baltimore to be built on unimproved land, revealed that a new low total development cost has been attained for public housing projects built under the USHA program.

One of seven projects to be constructed in Baltimore with USHA aid, "Armistead Gardens" will cost about $3,814 per dwelling unit. This includes the cost of land, construction of buildings, all nondwelling facilities, and architectural and overhead charges.

Net construction cost for "Armistead Gardens"—$2,077 per dwelling unit—also is a record for northern sections. It is more than 40 per cent under the $3,501 average for private building throughout the country, as reported by the United States Bureau of Labor Statistics, and $770 less than the national average for USHA-aided projects.

Although the nature of vacant land development lends itself readily to low-cost planning, the chief economy in the "Armistead Gardens" project arises directly from the cost of land—about 3 cents per square foot as compared with well over a dollar for the "Edgar Allen Poe Homes" (improved) site in the same city, and with $4.40 per square foot for the "Williamsburg Houses" site (also an improved area), a PWA Housing Division, project in New York City.

The wide difference in land costs on vacant and on improved land in USHA projects is evident from the fact that the average land cost per square foot on 33 unimproved sites is only about 2 cents, whereas the average cost for improved land on 90 sites is just over 25 cents. In the larger cities such as New York, New Orleans, and Baltimore, improved sites invariably cost more than $1 per square foot.

The "Armistead Gardens" site is rolling and wooded, and will be developed on the English garden city plan, with narrow service lanes closed to through highway traffic. The project will be made up of one- and two-story row houses and flats.

HAT, MILLINERY LEARNER HEARING BEGINS JAN. 31

Wage and Hour Division Will Consider Applications to Employ Young Persons at Less Than Statutory Wages.

By A. F. of L. Weekly News Service.

Washington, D. C.—A hearing on applications for permission to employ learners in the hat and millinery industries at wages lower than the 30 cents an hour statutory minimum rate, or higher minimums set by wage orders, is to be held January 31 at 10 A. M. in Room 214 Hutchins Building, 939 D Street N. W., Washington, D. C., it was announced by the Wage and Hour Division, U. S. Department of Labor.

Merle D. Vincent, Director of the Hearings Branch of the Wage and Hour Division, will preside and hear testimony to determine whether a learner period for skilled occupations at sub-minimum rates is necessary in order to prevent curtailment of opportunities for employment in the industry.

Under the Fair Labor Standards Act, the minimum wage for employes engaged in interstate commerce or in the production of goods for interstate commerce is 30 cents an hour; this will automatically become 40 cents an hour on October 24, 1945. Effective January 15, 1940, a wage order, based on the recommendations made by the Millinery Industry Committee and promulgated by the Administrator, establishes the minimum wage to be paid employes engaged in that industry at 40 cents an hour.

The Hat Industry Committee recommended a minimum wage of 40 cents an hour for that industry with the exception of the manufacture of straw and harvest hats for which the recommendation was 35 cents an hour in the continental United States and 30 cents in Puerto Rico. Should this rate be approved by the Administrator after a public hearing in which interested parties may appear in support or opposition, he will issue a wage order making it mandatory.

Opportunity to present evidence will be afforded any interested person filing a notice of intention to appear with Mr. Vincent prior to January 30, 1940.

Industrial Warfare Deplored by Berry

Former U. S. Senator, Re-elected President of Printing Pressmen's Union for Four-Year Term, Also Urges More Equitable Distribution of Wealth; All Other Union Officials Re-elected.

By A. F. of L. Weekly News Service.

Pressmen's Home, Tenn.—An announcement by Joseph C. Orr, secretary-treasurer of the International Printing Pressmen and Assistants' Union of North America, A. F. of L. affiliate, indicated the results of the nomination for international officials of the union which occurred in December 1939. The offices to be filled were that of President, four Vice Presidents, Secretary-Treasurer, one Home Trustee, and three School Trustees, to serve for a period of four years.

"Former United States Senator George L. Berry and the present Board of Directors, School Trustees, and Home Trustee," Mr. Orr said, "have been nominated unanimously by local unions in regular meetings during the month of December, covering the jurisdiction of the organization, which includes both the United States and the Dominion of Canada.

"The re-nomination without opposition under the law of the organization of course makes an election unnecessary. Thus, the officers have been re-elected for a further and additional four-year term by unanimous consent of the membership of the International Printing Pressmen and Assistants' Union of North America."

President Berry's Statement

President Berry, asked to comment on his re-election, issued the following statement:

"Of course, the attitude of the membership of the International Printing Pressmen and Assistants' Union of North America in re-electing my associates and self without opposition and unanimously, too, is one of the finest compliments that has ever been paid me. To have served thirty-three years and then to have been re-elected without opposition is most heartening.

"These are difficult times at home and abroad, and I am especially interested, of course, in the conditions at home. It is going to require patriotism and courage upon the part of the people—all of them—if we are to maintain the order of freedom as guaranteed under the Constitution of the Republic.

"This is the time above all times, it seems to me, when men of all walks of life who are interested in democracy, its maintenance, as well as its expansion, should coordinate their patriotism and thinking and action for the defense of justice.

"There can be no justification for wars of any sort here at home, and I have in mind specifically industrial wars. All men should come to understand that the prosperity and stability of the Nation are dependent upon their cooperation and good will, and that private industry, privately conducted agriculture embodying the combined and inseparable interests of the investor, management, and labor, is the foundation upon which democracy must rest and upon which source this Government in its financial difficulties must depend.

"Our greatest security therefore is in the cooperation of all persons, irrespective of their so-called status in life, in the promotion of a greater creation of wealth and a more equitable distribution of that wealth to all of our citizenship.

"Our relationship with the newspaper publishers and employing printers of America is on a most cordial and friendly basis. We are without strikes, lockouts, and industrial discords. We continue to respond to the ambition of our members for higher education, for health, for security in old age, by the operation of our Technical Trade School in Printing, our Sanatorium for Tuberculosis, and our Home and Pension System for the Aged.

"In a word, we are making the best possible contribution within our sphere and influence."

Ban On Aliens Urged For Low-Cost Housing

Washington, D. C. (AFLWNS).—A provision prohibiting aliens from occupying low-rent housing projects financed by the United States Government is contained in the independent offices appropriation bill introduced in the House of Representatives.

The provision stipulates that no part of a proposed appropriation of $10,000,000 for the United States Housing Authority shall be made available for expenditure on any low-rent housing project, any part of which is occupied by an alien.

Representative Woodrum of Virginia, who sponsors the provision, said it was in line with existing stipulations of the work relief law requiring all persons to announce their fealty to the Government of the United States and promise to obey Federal laws before they can obtain employment on work relief projects.

UNEMPLOYMENT AND THE WAR

Thousands of Workers Are Tossed Into Jobless Army In Most European Countries, International Labor Office Reports.

By A. F. of L. Weekly News Service.

Geneva, Switzerland.—What has been the effect of four months of war on one of the world's greatest peacetime economic and social problems—that of unemployment? It might be thought that war conditions and large-scale mobilization had abolished unemployment for the many countries more or less directly affected. But information collected by the International Labor Office shows that the war has had a much more complicated effect on national employment markets.

In most belligerent countries and in many neutral countries, unemployment rose in the first month of the war and still remains at a relatively high level.

Increase in Jobless Is Wellnigh Universal

In Great Britain nearly 200,000 more people were unemployed in mid-October than in mid-August, but by mid-November there was a slight drop of 28,000 as compared with mid-October; in France, unemployment increased by about 14,000, and in Belgium by over 45,000, in the first month of the war, although, in the latter country, this was followed by a decrease of 29,000 during October; the percentage of trade unionists unemployed in Denmark rose from 9.5 per cent to 16 per cent by the end of October and to 21.5 per cent by the end of November; in the Netherlands there was a moderate increase and in Norway a rather substantial rise from 18 per cent in August to 30 per cent in November.

Trade restrictions have thrown many thousands of workers out of employment in Greece.

In Germany the number of wholly unemployed persons has remained low, but there appears to have been an increase in short time.

In Switzerland the unemployment situation has remained practically unchanged. Among American countries there has been an increase in Chile but a decrease in Canada and the U. S. A.

Rate of Increase Smaller Than in 1914

For those who remember the last war these increases in unemployment are not as surprising as they at first appear. Today, in fact, the rate of increase in unemployment has been considerably less rapid than in 1914. Then, the first weeks of war raised Germany's level of unemployment to such an extent that one-fourth of all the non-mobilized industrial workers were unemployed. And in Great Britain, although no comparable total statistics are available, the Minister of Labor recently declared that "in the second month of the last war the trade union rate of unemployment was more than double what it was before the outbreak."

Unemployment By Industries Analyzed

Where have the extra unemployed come from? It is clear that there have been new demands for labor in certain trades, but at the same time considerable unemployment has accompanied the transition from a peace or a semi-war economy to an economy directly geared to war needs.

Many small enterprises have closed down and many small trades have been disorganized by mobilization and civilian evacuation. In France, for example, nearly half of the country's unemployed are concentrated in Paris, a city particularly affected by dislocations of small-scale industry and trade.

A second important cause of increased unemployment is, as in 1914, the arrival of large numbers of women workers in the labor market, many of them forced into job-hunting by the mobilization and many more dismissed from employment in the personal service industries.

Also, considerable numbers of salaried employes and of workers in such trades as the building trades have lost their jobs and have not yet been absorbed into the changed economy. Seasonal factors, of course, account for some unemployment.

Finally, in many countries trade restrictions have affected employment in export industries or industries which depend on imports for their raw materials.

More Jobs in United States and Canada

In the United States and in Canada, on the other hand, there was a spirit of optimism in the first weeks of war. Large numbers of unemployed workers were absorbed in industries producing for war needs. Nevertheless, national officials in these countries continue to warn against over-optimism as to the future, and to point out the large pockets of unemployment which are—and will probably remain for some time—basically unaffected by current war developments.

Skilled Labor Shortage Reported

A particularly striking feature of the present situation has been the fact that, paralleling a fairly general increase in total unemployment, shortages of many kinds of skilled labor have been greatly accentuated.

Belgium lacks coal miners, the Netherlands need skilled workers in several trades, Great Britain and France are concerned with maintaining a sufficient supply of skilled engineers, mechanics, shipbuilders, etc., and Germany is taking steps to assure a reserve of properly trained workers for her industrial needs.

Even in the United States, with its vast reservoir of unemployed workers, skilled labor shortages are already acute in several trades and in various parts of the country.

A. F. of L. Endorses Radio Program Aided by Workers Education Bureau

By A. F. of L. Weekly News Service.

The 1939 convention of the American Federation of Labor at Cincinnati, Ohio, praised the radio educational program sponsored by the Workers Education Bureau of America in cooperation with the Columbia Broadcasting Company and expressed the wish that the program be continued.

The importance of the radio program was presented to the convention in the report of the A. F. of L. Council, which said:

"For the seventh successive year the Workers Education Bureau has been concerned in educational programs on the radio. A year ago the 'Americans at Work' program was inaugurated by the Columbia Broadcasting System, with the research assistance of the Workers Education Bureau.

"This program is continued for a second year over a nation-wide network of 85 stations. Among the programs which have been given during the course of the year were: Bricklayer, Fisherman, Pottery Worker. Coal Miner, Auto Worker, Toy Maker, Pullman Porter, Shipworker, Glassworker, Plumber, Schoolteacher, Carpenter, Barber, Retail Grocer, Meat Packer, Road Builder, Radio Technician, Cab Driver, Test Pilot.

"In connection with the program the bureau has had the active cooperation of many of the national and international unions."

In commending the broadcast sponsored by the Workers Education Bureau, the Committee on Education submitted the following report, which the convention adopted:

"A year ago the report was made to the convention about the launching of a new series of radio programs in connection with the Columbia Broadcasting Company, entitled 'Americans at Work.' That program now is in its seventeenth month. It has maintained an unusually high level of educational value. It was adjudged by the jury of awards honorable mention for its educational character; it being continued for a second year with the cordial cooperation of the Columbia Broadcasting System. It is increasing the range of its audience.

"Your committee commends the bureau for its activities in connection with this radio education program and recommends that this convention express to the Columbia Broadcasting System its appreciation for their continued cooperation.

"Your committee expresses the hope that this radio educational program with which our bureau has cooperated since its organization 17 months ago by the Columbia Broadcasting System will be continued with the fullest measure of cooperation by the bureau."

A. F. OF L. RADIO UNION WINS CERTIFICATION

Commercial Telegraphers Unit Named Sole Bargaining Agent for Thirteen New England Fishing Companies

By A. F. of L. Weekly News Service.

Washington, D. C.—The National Labor Relations Board announced certification of Commercial Telegraphers Union, Marine Division, affiliated with the American Federation of Labor, as the sole collective bargaining agency selected by a majority of the radio operators employed on vessels operated by 13 New England fishing companies following a secret ballot election held October 30 through November 14, resulting in a count of 38 votes for the AFL union, 10 votes for the American Communications Association, Marine Division, (CIO); with two ballots challenged and one for neither organization.

The companies, whose vessels or trawlers are registered in the States of New England or New York, are as follows: Booth Fisheries Corporation, John Chisholm Vessels Company, General Seafoods Corporation, Haskins Fish Company, Trawler Hekla, Inc., Trawler Maris Stella, Inc., Massachusetts Trawling Co., R. O'Brien and Co., Ocean Trawling Corporation, O'Hara Bros. Company, Inc., F. J. O'Hara and Sons, Inc., Portland Trawling Company, and Usen Trawling Company.

TRUCK DRIVERS SIGN UP FIVE FIRMS IN ATLANTA

By A. F. of L. Weekly News Service.

Atlanta, Ga.—Local No. 728 of the International Brotherhood of Teamsters, Chauffeurs, Stablemen and Helpers of America, affiliated with the American Federation of Labor, announced that the local had negotiated agreements with the following motor transport companies:

Huber & Huber Motor Express, running between Atlanta and Chicago.

Blue & Gray Transportation Company, running between Atlanta and Cincinnati.

Terminal Transport Company, running between Atlanta and Indianapolis.

A B C Freight Lines, running between Atlanta, Birmingham and Chattanooga.

Johnson Motor Freight Lines, running between Atlanta and Cincinnati.

All agreements provide for the closed shop, adjusted wage rates, and other valuable provisions for the truck drivers employed by these progressive companies.

Firm Violated Labor Act, Coopers Charge

Boston, Mass (AFLWNS).—The Coopers International Journal, official organ of the Coopers' International Union of North America, A. F. of L. affiliate, publishes the following trade note:

"Charges have been preferred against the Norton and Wheeler Stave Company of Benton and Pine Bluffs, Arkansas, for violating the National Relations Labor Act at their plant in Benton. The superintendent of that plant fired Sam Smith for his union activities.

"The Coopers' International Union will press this case and will demand that Sam Smith is reinstated and receive his back pay. Local unions are hereby warned that if they handle any products of this company, they will automatically suspend themselves. The products of that company might be sold through an agency."

BROOKLYN FIRM ORDERED TO BARGAIN WITH A. F. L.

Washington, D. C. (AFLWNS).—The National Labor Relations Board ordered the National Motor Building Corporation of Brooklyn, N. Y., to bargain with the International Association of Machinists, A. F. of L. affiliate, and to disestablish the employes' collective bargaining committee as the representative of its workers.

The board also ordered the reinstatement of fourteen employes with back pay, reinstatement of two others without back pay, and remuneration of five others who had been reinstated.

SPELLMAN TO BE HONORED BY NEW YORK DRAFTSMEN

Honorary Membership in A. F. of L. Affiliate Will Be Conferred on Union's Counsel.

By A. F. of L. Weekly News Service.

New York, N. Y.—An overflow meeting of the General Assembly of Architectural & Engineering Guild, Local 66, International Federation of Technical Engineers', Architects' and Draftsmens' Unions of the American Federation of Labor, is expected on Tuesday, January 30, at Edison Hall, when an honorary membership, the first to be awarded in the history of Local 66, will be conferred on the Hon. Howard H. Spellman, who has been the local's counsel for a long period.

Honorary Membership in the American Federation of Labor affiliates is a coveted one and to receive such an honor the recipient must have really earned it.

In a letter to Mr. Spellman inviting him to attend the ceremony, Frank Wisler, secretary of Local 66, said:

"In your zeal to help the average man, in your endeavor to further the cause of the working man, you offered your gratuitous services to our 'Guild-Local 66' at a time when we needed it most.

"The splendid manner in which you have carried on, your sympathetic interest in all our problems, and the conscientious effort you have put into the execution of all our plans, have endeared you to all our members.

"When you were in public office our gratitude could only be expressed in terms of 'thank you.' Now that you are (temporarily, we hope) a private citizen again, our entire membership has unanimously expressed a wish that you be given an Honorary Membership in our organization.

"You are therefore cordially invited to attend our next meeting in Room 9B, Edison Hall, 226 West 47th Street, New York City, at 8:30 P. M., so that such Honorary Membership may be conferred upon you in the presence of the membership."

POCKETBOOK WORKERS RENEW FIVE CONTRACTS

New York, N. Y. (AFLWNS).—Officials of the International Ladies' Handbag, Pocketbook and Novelty Workers Union, A. F. of L. affiliate, announced the renewal of agreements with the following pocketbook manufacturers: The Paragon Novelty Bag Co., Inc., of East Mauch Chunk, Pa.; Moe Gleicher of Newark, New Jersey; Atlas Handbag Company of North Bergen, New Jersey; William Ammerman of Union City, N. J. and Frances Handbag Company of Hoboken, N. J.

All the agreements with the above mentioned firms contain provisions for a 40 hour week, minimum wage of $14 per week and a closed union shop. The agreements are signed for one year.

The agreement in East Mauch Chunk was negotiated and signed by Samuel Reinlib, president of the International, and the agreements in the State of New Jersey were signed by First Vice President Charles Mutter and Christ Deevey, business agent of the Jersey Local.

The five pocketbook firms employ generally approximately 300 workers on mostly $1 line pocketbooks.

EXCESS COTTON PICKERS LAID TO COTTON GROWERS

Los Angeles, Calif. (AFLWNS).—The major reason for low wages paid to cotton pickers is authoritatively revealed to be the practice of cotton growers and their associates to lure a large number of cotton pickers to the cotton growing areas and then cut wages by making the pickers compete for the jobs.

This practice was revealed by Orin Cassmore of San Francisco, a Government investigator, who told the Senate Civil Liberties Committee that Arizona cotton growers obtained a surplus of pickers for the 1937 harvest by persistent advertising for help in neighboring States.

Mr. Cassmore, who was one of the two investigators sent to Arizona, added that because of the surplus of pickers lured to the cotton fields, the Federal Farm Security Administration was forced to advance funds to keep many stranded workers from starving.

EDITORIALS

Importance of Local Labor Social Security Committees

Three years' experience with the provisions of the Federal Social Security Act indicate that many working men and women are not fully informed as to their rights under the measure. This is especially true in connection with the amendments to the action which became effective on January 1, enlarging the old-age insurance provisions and establishing pensions for survivors. Moreover, the action is subject to additional amendments more fully to protect working men and women as each added month of experience makes imperative.

In order to adequately inform workers regarding their full rights under the Social Security Act and to collate facts which indicate the necessity for further changes in the measure, the American Federation of Labor has adopted the policy of creating local social security committees by all of the more than 800 central labor bodies affiliated with the Federation. The importance of these local committees and the work they may perform in the interest of more adequate protection for working men and women under the Social Security Act are emphasized by William Green, president of the American Federation of Labor, in the following letter sent to all city central bodies:

"At its recent meeting, the Social Security Committee of the American Federation of Labor, after consideration of urgent problems in social security and a conference with members of the Social Security Board and its administrative staff, recommended that all Central Labor Bodies who have not already done so, be requested to appoint local social security committees, and that the secretary of such committee be instructed to send for the use of the Social Security Committee of the American Federation of Labor, the names of your committee members. It is desired that these committees work out ways in which our unions can be of assistance to workers in knowing and securing their rights under unemployment compensation and old age insurance.

"I know that many central labor unions have already organized committees. There are undoubtedly many committees operating whose membership we do not have on file in our office. I should appreciate it if all committees now organized would send this information, and if all Central Labor Bodies who do not now have social security committees, would act promptly to organize them.

"I feel that the unions can be of great service to workers in promoting a well-rounded program of social insurance and in advising workers how to obtain their rights under the programs in existence with the least possible difficulty and expense.

"I am confident that we can achieve these purposes most efficiently if the Central Labor Bodies will keep in touch with both the State Federation of Labor and the Social Security Committee of the American Federation of Labor, so that we may work together to eliminate difficulties which workers find in the laws, and so that we may have a clearing center for information and exchange of experience as a basis for urging a constant improvement of these laws.

"I should appreciate your cooperation in complying with the recommendation."

Prosperity Has Not Reached Low-Income Groups In Nation's Capital

The difficulties which money grabbing owners of slum property throw in the way of low-cost housing by demanding extortionate prices for land is well set forth in the experience of the Alley Dwelling Authority of the District of Columbia.

The purpose of the Alley Dwelling Authority is succinctly explained by John Ihlder, the Authority's executive officer. "It is to reclaim," Mr. Ihlder says, "all slums in the District of Columbia and to assure an adequate supply of good, low-rent dwellings. It proposes to do this at the least possible net cost. A reason for keeping down net costs is that otherwise the job cannot be completed."

And then comes Mr. Ihlder's brief statement regarding the landlords who own the land on which existing slum dwellings stand. He says:

"But carrying out that purpose is not simple. First there are limitations imposed by law. The law limits the area in which the Authority can operate. It further restricts the Authority to properties whose purchase price does not average more than 30 per cent above the assessed valuation. To this is added a restriction by the United States Housing Authority, that none of its funds shall be used to buy property that averages more than $1.50 per square foot. That at once shuts out some of the worst slums where the land is crowded with buildings."

Turning to the indecent housing imposed upon the Negroes who "form a large proportion of the low-income part of the population" in the District of Columbia, Mr. Ihlder makes a significant revelation regarding the substandard dwellings which "are crowded with human beings who have not the barest essentials of decent living."

"What the Authority does know," Mr. Ihlder declares, "is that among the substandard houses it is acquiring in order to clear them away and erect good dwellings in their place, are some occupied by recent migrants. In one such five-room house with broken floors, broken plaster, no heating facilities, a single toilet broken and frozen, there are four families containing 6 adults and 13 children, 19 persons in all occupying four rooms—the fifth room was vacant. These families have had no water since the cold spell began. The frozen toilet is in an indescribable condition. Three of these four families are recent migrants to the city from the South. They are not eligible for relief. They have no employment."

Violator of Wage Law Underpaid Three Hundred Workers

The provisions of the Federal Fair Labor Standards Act of 1938 are so plain that no employer can plead ignorance of them. It is clearly set forth that employers whose establishments come under the jurisdiction of the law shall pay their employes at least the statutory minimum rate with the stipulation that time and one-half must be paid for overtime work.

These provisions, however, were not approved by William Hindes and Harry Dobrowsky, owners of the Charlotte Dress Company, women's wear contractors of Burlington, New Jersey, who were found guilty in the Federal court in Newark, N. J., of having violated the Fair Labor Standards Act by failing to pay the minimum specified wage to their three hundred employes and refusing to pay the overtime required by the law.

Confronted with the severe penalties imposed by the statute, Hindes and Dobrowsky realized that their law-violating scheme could not be continued. They confessed their guilt and threw themselves on the mercy of the court, with the result that Federal Judge Guy L. Fake handed down a consent decree in which the owners of the company promised to obey the law in the future and to make restitution of $1,424 in back pay to their underpaid workers.

The provisions of the Fair Labor Standards Act are precise. As to wages they stipulate employers in industries covered by the Act shall pay their employes not less than thirty cents per hour. As to hours the provisions stipulate that employers in industries covered by the Act shall apply the forty-two hour week, with the modification that when a longer work week is applied time and one-half shall be paid for time worked in excess of forty-two hours.

These provisions are so definite that violation of them would appear to be premeditated and willful. For this reason prompt and complete application of the penalties for violation is probably the best method to give the workers the protection prescribed by the statute.

HOME WORK REGULATED BY LAW IN CALIFORNIA

Manufacture of Some Products Is Prohibited Entirely.

By A. F. of L. Weekly News Service.

San Francisco, Calif.—Active enforcement of California's new industrial home work act will begin at once, according to an announcement by Mrs. Margarete L. Clark, chief of the Industrial Welfare Division of the State Department of Industrial Relations.

More than 300 permits have been issued since the act took effect on December 19, said Mrs. Clark, but many employers and home workers are as yet unfamiliar with the terms of the new law and have failed thus far to comply with it.

The act, which follows the lines of a model federal bill, requires employers of home workers to take out a $50 annual State license and home workers themselves must obtain permits of the division, which issues them free of charge.

Home manufacture of food stuffs, drugs, sanitary supplies and clothing for children under 10 is prohibited entirely. Rates of pay for work permitted by the act must be competitive with factory rates.

The act applies to both men and women.

FURNITURE WORKERS GAIN HIGHER PAY IN SEATTLE

By A. F. of L. Weekly News Service.

Seattle, Wash.—Furniture Workers Local Union No. 2618 of the United Brotherhood of Carpenters and Joiners of America, A. F. of L. affiliate, announced that a 2½ cents per hour wage increase had been secured for 350 employes of the Elliott Bay Lumber Company of Seattle. Men working in and around the dryers receive an extra 2½ cents an hour or 5 cents per hour in all. The wage increase makes 37½ cents per hour the minimum in the plant due to the fact that a 2½ cents increase was secured by Local 2618 early in the year.

Officials of the furniture workers unions also announced the negotiation of a union shop agreement with the Seattle Manufacturers Association, granting a 40-hour week and 50 cents per hour minimum wage in all union shops. The new contract brings better working conditions to all union employes.

Encouraging gains in union membership were also announced by spokesmen for the furniture workers.

Officials of Local 1413, Hoquiam, Washington, report the initiation of sixteen new members.

In Bellingham, Washington, Local 1506 has increased its membership since a new contract was signed with the Bellingham Furniture Company.

New York Unions Oppose Barring Navy Yards From Building Naval Vessels

President of Central Labor Council Says Passage of Vinson Bill Would Deprive 7,000 Brooklyn Navy Yard Employes of Their Jobs.

By A. F. of L. Weekly News Service.

New York, N. Y.—Strenuous opposition to the provision to the Naval Bill introduced by Representative Vinson of Georgia which repeals the statute allocating 50 per cent of naval constructions to Government navy yards was voiced by Thomas Murtha, president of the Central Trades and Labor Council, which speaks for the 600,000 members of the American Federation of Labor unions in the New York City area.

Section 6 of the Vinson bill provides that "All laws and parts of laws requiring allocation of contracts, construction or manufacture of naval vessels or aircraft or parts or equipment thereof, to either Government or privately owned building or manufacturing activities are hereby repealed."

In opposing the enactment of this section, which it is claimed would drastically reduce shipbuilding operations at the Brooklyn Navy Yard, Mr. Murtha issued the following statement:

"The city faces the possibility of losing a considerable portion of the $65,000 daily pay roll of the Brooklyn Navy Yard if Section 6 of the Vinson Naval Bill becomes law. This section of the bill would junk the present requirement that 50 per cent of naval building must be done in Navy Yards and the other 50 per cent in private yards.

"The Navy Department would be given a free choice as to where the ships are to be constructed. The Navy Department favors private contractors.

"In 1933, before the passage of the 50-50 provision, there was a large naval appropriation made, but the Brooklyn Navy Yard was given only two small destroyers, giving work to 1,200 men, while all the big ships were allotted to private contractors.

"There are now 10,000 employes at the Brooklyn Navy Yard. Passage of Section 6 of the Vinson bill would cut this number, perhaps to as little as 3,000.

"Organized labor is flatly and most vigorously against this proposal and is enlisting the cooperation of the officials of the city in waging a fight against it. Mayor La Guardia is supporting labor's position.

"It is senseless to render idle government facilities that represent a taxpayers' investment of hundreds of millions of dollars and doubly senseless when the private yards have sufficient ships already on their ways and contracted for to provide continuous employment for many years to come."

Violations of Anti-Kickback Law Condemned by New York Labor Chief

Many Chiseling Employers Ignore State Statute Prohibiting This Notorious Practice, Lyons Says.

By A. F. of L. Weekly News Service.

New York, N. Y.—Thomas J. Lyons, president of the New York State Federation of Labor, said that he planned to confer with Attorney General John J. Bennett, Jr., as soon as he can gather detailed data on violations of the anti-kickback law for submission to the Attorney General. Mr. Lyons said he thought the conference with Mr. Bennett would probably take place early next week.

At the same time the chief of the American Federation of Labor's 1,100,000 members in this State said:

"A cursory survey of the situation with respect to the pernicious kickback practice indicates that, while extension of the law to kickbacks in private employment has greatly curtailed the prevalence of the offense, nevertheless a fairly substantial number of chiseling employers are still flouting the law.

"The State Federation of Labor will fight vigorously to have those employers who extort from their workers the slightest part of the fruit of their toil tracked down and exterminated.

"The vicious kickback practice takes many forms and unquestionably cost wage-earners of this State hundreds of thousands of dollars in 1939."

Under a new law passed by the legislature last year the ban on kickbacks was made applicable to private work as well as public work. It is a misdemeanor to extract or even to ask for a kickback. The new law, like its predecessor, was placed on the statute books through the efforts of the State Federation of Labor.

American Federation of Labor Breaks C. I. O. Hold on Long Island Laundries

By A. F. of L. Weekly News Service.

Hempstead, N. Y.—The C. I. O. is cracking up on Long Island, N. Y., according to William C. De Koning, president of the Central Trades and Labor Council for Nassau and Suffolk counties.

Mr. De Kohing made the following announcement after the owners of the Huntington Laundry, Huntington, N. Y., signed an A. F. of L. labor agreement with Local 158 International Laundry Workers Union, A. F. of L.:

"Every trade and craft on Long Island has long been solidly A. F. of L. with the exception of the laundry industry. However, since the granting of a charter to local 158, Joseph F. Quinn, laundry organizer, has been making vast inroads on C. I. O. accomplishments. The owners of the Huntington laundry have been 100 years in the laundry business in New York State. They operate four other laundries in New York City and Brooklyn. Recently when their C. I. O. agreement expired they began negotiations with us which were completed on January 13 when they signed an A. F. of L. contract."

Mr. De Koning pointed out that the Hostess Laundry, Port Washington, New York, had also voted in favor of the A. F. of L. in an election conducted under the direction of the State Labor Relations Board on January 11.

"In the vote of the Hostess employes," said Mr. De Koning, "the C. I. O. had no place on the ballot. Despite this, however, C. I. O. delegates were active in urging the Hostess employes to vote for 'no union.' This speaks for the sincerity of C. I. O. delegates as union men!

"I feel that Mr. Quinn, organizer for local 158, has accomplished a great deal in the short time since the granting of a charter covering laundry workers in this territory. Both the Huntington plant, with 110 workers, and the Hostess plant formerly held C. I. O. labor agreements. At the present time, we are dickering with a number of plants holding C. I. O. labor agreements shortly to expire. We are very confident that 1940 will be the beginning of the end for the C. I. O. in Nassau and Suffolk in the laundry industry, and that this industry will be as solidly A. F. of L. as are the building trades, and other locals affiliated with the Central Trades and Labor Council."

Year-Old Strike Against Brass Rail Restaurant In New York Continues

By A. F. of L. Weekly News Service.

New York, N. Y.—As the strike at the Brass Rail Restaurant in the Times Square area marked its first anniversary on January 18, the management and the striking unions remained in a deadlock.

Locals 89 and 16 of the Hotel and Restaurant Employees' International Alliance, A. F. of L. affiliate, doubled their picket lines in observance of the first birthday of the strike.

In a joint statement, Harry Reich, president of the Chefs, Cooks, Pastry Cooks and Assistants Union, Local 89, and William Albertson, secretary-treasurer of the Waiters and Waitresses Union, Local 16, declared:

"More than 200 employes of the Brass Rail are still on strike after a year-long effort to renew the closed shop agreement with the Brass Rail.

"During this period, earnest efforts at conciliation have been made by every available agency, including the State Mediation Board, the State Labor Relations Board, Lt. Gov. Poletti, and leaders of the State Federation of Labor. All these efforts have failed to bring about a settlement.

"Although the unions have agreed to several concessions, notably that of arbitration of grievances, the Brass Rail management insists on controlling the right to hire and fire, a provision which would in effect destroy the value of any agreement reached.

"Both unions are therefore determined that the strike must go on, while they continue to explore every avenue leading to an immediate settlement."

Eight Actor Members Appointed To National Board of American Guild of Variety Artists

By A. F. of L. Weekly News Service.

New York, N. Y.—The appointment of eight actor members of the American Guild of Variety Artists to the National Board of the AGVA was approved here, January 17, at a board meeting of the Associated Actors and Artistes of America. Union officials said this was a step in carrying out the promise given when the American Guild of Variety Artists was formed last September that the Guild would be a democratic union of and by variety performers.

The motion for these appointments was made and unanimously carried at a New York local membership meeting of AGVA held at the Palm Garden, 305 West 52d Street. The appointments were made at a meeting of the Board of Directors of AGVA.

Taking their places for the first time when the board convenes next Monday, January 22, will be: Dave Fox, Charles Arno, Arthur Ward, Phil Irving, Jack Guilford, Ernie Mack, Billy Glason and Sam Kramer.

On January 19 the nine members of the nominating committee of the New York local, elected at the January 14 meeting, assembled to begin drawing up a slate of officers for the local to vote on. On January 24 there will be a meeting of the eleven members of the constitutional committee, elected at the same time. They will discuss the proposed New York constitution and present it, along with proposed revisions, to the membership for ratification.

Luggage Workers To Vote On Strike

Fourteen Hundred Union Employes of American Hardware Company's Petersburg Plant Considers Walkout as Protest Against the Firm's Veto of All Union's Demands.

By A. F. of L. Weekly News Service.

New York, N. Y.—Fourteen hundred luggage workers employed by the American Hardware Company, of Petersburg, Va., the largest trunk and luggage firm in the United States, decided to take a strike vote at a special mass meeting to be held in Petersburg on Saturday evening, January 20, officials of the International Ladies' Handbag, Pocketbook and Novelty Workers Union, A. F. of L. affiliate, announced.

In a statement discussing the causes of the controversy and setting forth the company's opposition to the reasonable demands of the Petersburg luggage workers, the International Union said:

Company Refuses Union's Demands

"This decision was reached by the workers after the company rejected all union demands including a wage increase of 20 per cent, a minimum wage of 40 cents per hour instead of 30, time and a half for overtime after 40 hours and a union shop.

"Not only did the company reject all these demands, but on top of that they are demanding from the union the right to increase the hours of work from 40 to 42 per week, to reduce wages and prices wherever they see fit, to have an open shop with the right to hire and fire.

"In other words, the company actually wants to deprive its workers from all the rights and benefits which they have gained since they have been organized.

"The fourteen hundred luggage workers of Petersburg were organized by the International Ladies' Handbag, Pocketbook and Novelty Workers Union, affiliated with the American Federation of Labor, in June, 1937. Wages were so low and the company was running an open shop for so many years that in its first contract the union could not insist on a closed union shop and could only obtain a minimum wage of 30 cents per hour with a general increase of 5 per cent.

Wage Increase Justified By Business Conditions

"When the contract with the American Hardware Company was renewed in July, 1938, general industrial conditions were unfavorable and the union was in no position then to demand a general wage increase. However, business conditions generally as well as those of the American Hardware Company greatly improved during 1939 and the company knew that at the expiration of the last contract at the end of 1939 the union would demand a substantial increase in wages and other improvements.

Union Won Election For Bargaining Agent

"The union was therefore suddenly confronted with a so-called independent union movement, and when the American Hardware Company was approached several months ago on negotiations for a new contract, the company demanded an election under the auspices of the National Labor Relations Board in order to determine whether the Petersburg Luggage Workers Union Local No. 52 of the International Ladies' Handbag, Pocketbook and Novelty Workers Union represents a majority of its employes or not.

"The union readily accepted the challenge of the American Hardware Company and an election was held on December 13, 1939, under the auspices of the National Labor Relations Board. The result of the election was that out of 993 that voted, 785 voted for Local No. 52, 178 voted for the so-called independent union, and 30 voted for no union.

"This was of course an overwhelming victory for the International Union and the American Federation of Labor, having received a majority of 4 to 1, the union was immediately certified by the Labor Board as the sole collective bargaining agency for the employes of the American Hardware Company.

"After the election the employes of the American Hardware Company at a big meeting decided on a number of demands to be presented to the company, principally the establishment of a union shop, increases in wages and improvements of working conditions. However, the company rejected all union demands and still insisted on the open shop and their low wage policy.

Wage Rates Are Lower Than In Other Luggage Centers

"At the last conference between the union and the company the representatives of the union, headed by Isidor Laderman, general organizer of the International Ladies' Handbag, Pocketbook and Novelty Workers Union, presented to the company facts and figures showing that the wages paid by the American Hardware Co. are less than half of the wages paid in all other luggage centers, such as New York, Newark, New Jersey, Philadelphia, Pittsburgh, Chicago, Racine, Wisconsin, and so on; so that even when the company grants the union's demand for a 20 per cent wage increase it still would be in a position strongly to compete against other markets.

Company Opposes All Demands of the Union

"The representatives of the American Hardware Company did not deny these facts, but nevertheless insisted that they will not give any general wage increases nor will they accede to the demand for a union shop.

"The luggage workers of Petersburg have therefore decided that if the American Hardware Company will not change its attitude they will vote on a strike for their demands. The workers are determined at this time to put an end to the open shop low-wage policy of the American Hardware Company which is not only an injustice to the luggage workers of Petersburg but is a menace to the entire luggage industry.

"The luggage workers of Petersburg are confident that if they will be forced by the attitude of the company to go out on strike they will have the full support not only of their International Union but also of the entire American Federation of Labor and particularly of the unions in the South."

Banquet In Honor Of Meany Attended By Hundreds Of A. F. Of L. Leaders

(Continued from Page 1)

eration of Labor are capable of achieving every element in the economic advancement of working men and women, which he said was the sole purpose of the Federation.

He asserted his allegiance to the traditional principle laid down by Samuel Gompers that no political organization shall control the American labor movement, and pledged his cooperation with other officials of the American Federation of Labor and its affiliates to make effective every feature of the A. F. of L. program.

Text of Meany's Address

The text of Mr. Meany's address follows:

"I certainly appreciate the warmth of your welcome here this evening, and I do hope that it is an indication of a pleasant association in the years to come.

"I want to say at this time that the American Federation of Labor has a great deal to be thankful for, for the years of service rendered by Secretary Frank Morrison.

"You know it is an important thing for an institution the type and character of the American Federation of Labor to be able to present to the public a record of its achievements and a record of its affairs that is accepted by the public as being its true record.

Pays Tribute to Morrison

"In the short time that I have been in the office, including a few days spent there with Brother Morrison before the first of the year, I have learned why the American Federation of Labor has enjoyed that record of integrity and the record for true presentation of the facts as to the condition of the organization, not only to the membership but to the public at large.

"I find in that office a most loyal and efficient staff. I find in that office a system that is second to none, and a system that reflects the intelligence and the years of effort given to the American Federation of Labor by the now Secretary Emeritus, Brother Frank Morrison. I do not think that we can possibly give him too much credit for the position in which we have been placed, where nobody, not even our bitterest enemies, questions the records and the books of the American Federation of Labor.

Fundamental Purpose of A. F. of L. Is to Benefit Workers

"Now, I am not going to take up a great deal of your time. I do not think that this is the time or the place to discuss the specific problems that we face at the present time.

"Suffice it to say that the problems that labor as a body face in America today are many and complex. With the development of modern industry along scientific lines, with the mass production methods, with the many, many changes that have come to us through the developments of mechanical science, through the development of gigantic industrial corporations, we have many problems.

"But I think it is well to bear in mind that no matter what these problems are, and no matter how we move to organize our forces to meet and overcome these obstacles which are thrown in our way, these modern changes in business and industry do not in the slightest sense change the purposes of the American Federation of Labor; and the purpose for which this institution exists is the very same purpose for which it was created by those pioneers of labor 60 years ago. I think if we bear that in mind and keep in mind first principles of the organized labor movement, we can and we will overcome any obstacles and solve any problems that we have at the present time and that may come up in the years to come.

"The purpose of this organization, and the purpose of its existence today, is to improve the conditions of work and of life of the workers in this country, and there is no other purpose. Anyone who attempts to divert this organization from that purpose is doing a disservice to the workers of America.

A. F. of L. Principles Were Established by Gompers

"In order to carry out that purpose certain fundamental principles were laid down by Samuel Gompers and those associated with him in the years gone by, and among those principles is one principle that I want to pledge my allegiance to. That is the principle that no political organization shall ever control the labor movement of America, that the labor movement shall never be the tail to a political kite.

"Samuel Gompers was wise far beyond even what he knew, when he laid down that policy, because, with labor free from political alliances, free from political domination, labor is free to give effect to the real purpose for which our organizations are formed.

Cooperation Between Labor Leaders Held Essential

"So I pledge to you that I will do all I can to cooperate with President Green and the other officials of the American Federation of Labor and its associated organizations, to carry out that purpose, to give real and full effect to that purpose; that in doing so I hope to have the cooperation of all these organizations and of the men at the head of them, because after all, I have discovered one thing in my experience, short as it has been, that a labor movement such as this, while we may have our rules and our constitution—and we must have a certain sense of order and dignity—that this movement is founded on personal contact, that it cannot progress, without personal contact, and absolute and keen cooperation between the men at the head of the various unions that make up this institution.

"It is just that kind of human movement that it must have personal contact and must have keen and clear cooperation on the part of every one.

"I want to say to you that I have been happy, and I am happy to report here tonight, that in the limited field in which my activities were before I came into this position, we had that kind of cooperation, that everybody put their shoulders to the wheel together, and we did achieve some medium of success.

"So I say to you here tonight that I am most deeply grateful to every one present for the very, very fine welcome that you have accorded me; that I hope in the years to come that I can in some way approach the record that Secretary Morrison has laid down in the last 43 years.

"Whatever comes, however, I assure you this, that I will do my very best, and that I will never run away from the job, and I will stick to the purposes and the principles of this great movement."

Music for the banquet and the dancing which followed was by Meyer Davis' orchestra.

Auto Workers Union Aided by A. F. L. In Building Up Strong Organization

Restoration of A. F. of L. Charter Following Union's Withdrawal from C. I. O. Approved.

By A. F. of L. Weekly News Service.

The 1939 convention of the American Federation of Labor at Cincinnati, Ohio, endorsed the action of the A. F. of L. Executive Council in restoring the charter to the International Union of United Automobile Workers of America following its withdrawal from the C. I. O. and pledged the complete support of the A. F. of L. in aiding the union to build up a strong organization.

The convention's action was taken on the following report of the Committee on the Executive Council's report, which the convention adopted.

"The Council reports that on June 6th, 1939, the charter of this organization was restored. On the same date a formal statement was issued setting forth that the International Union, United Automobile Workers of America, would have full and complete autonomy in the administration and control of the organization.

Most Automobile Workers Eligible For Membership

"The right of self-government in this organization, which was surrendered to a C. I. O. committee, was thus restored by re-affiliation with the American Federation of Labor.

"In addition to this the Executive Council directed 'that the President be authorized to return the charter to the United Automobile Workers of America with the understanding that whatever difference may exist or come up would be straightened out after it is in the American Federation of Labor.'

"Your committee is of the opinion that such difference can be adjusted by the Council. Under provisions of the charter granted, the overwhelming number of employes in the automobile plants are eligible for membership in the United Automobile Workers of America. No serious or insurmountable difficulties should arise with regard to proper affiliation of those employes who are eligible to, or already are, members of other international unions affiliated with the American Federation of Labor.

Extra-Legal Tactics Injure Unions

"Your committee is of the opinion that the future success of this international union depends largely upon the ability of its officers to inculcate the concepts and principles of the American labor movement, as represented by the A. F. of L., into the minds of the workers employed in the automobile industry.

"The record clearly shows that when illegal and extra-legal tactics become a part of labor union philosophy in its dealings with employers the same tactics are used in the conduct and operation of the union itself.

"No union can reasonably expect that the use of illegal and extra-legal tactics will be adjourned within the union, especially so, if such tactics are adjudged by its officers as a success in employer-employe relationships.

C. I. O. Plagued by "Revolutionary Ideologies"

"When the final pages of the C. I. O. history are written it will be shown that it was upon this rock that their efforts were wrecked by internal dissension growing into internecine warfare among its officers and members.

"Such was the fate of all previous unions founded and built upon preachments of personal hatreds and 'revolutionary ideologies.' Such will be the fate of the present Communist-dominated efforts of C. I. O.

"Your committee recommends that every effort, consistent with good judgment, should be made to build a strong, efficient and self-governing international union in the automobile industry. Your committee further recommends that the full cooperation of the Executive Council and the American Federation of Labor be extended to the International Union United Automobile Workers of America, to accomplish this objective."